

THE NORTHERN CALIFORNIA DISTRICT  
OF THE COMMUNIST PARTY  
Structure—Objectives—Leadership

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HEARINGS  
BEFORE THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES  
HOUSE OF REPRESENTATIVES  
EIGHTY-SIXTH CONGRESS  
SECOND SESSION

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PART 2  
MAY 13, 1960

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Printed for the use of the Committee on Un-American Activities

(Index in Part 3)



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COMMITTEE ON UN-AMERICAN ACTIVITIES

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## PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

### PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

#### RULE X

##### SEC. 121. STANDING COMMITTEES

\* \* \* \* \*

17. Committee on Un-American Activities, to consist of nine Members.

#### RULE XI

##### POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*

(q) (1) Committee on Un-American Activities.  
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

\* \* \* \* \*

#### RULE XII

##### LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

\* \* \* \* \*

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

\* \* \* \* \*

(q) Committee on Un-American Activities, to consist of nine Members.

\* \* \* \* \*

RULE XI

POWERS AND DUTIES OF COMMITTEES

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(a) Un-American activities.

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\* \* \* \* \*

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

# THE NORTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

## Structure—Objectives—Leadership

### (Part 2)

---

FRIDAY, MAY 13, 1960

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*San Francisco, Calif.*

#### PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:30 a.m., in the supervisors chambers, City Hall Building, San Francisco, Calif., Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Subcommittee members present: Representatives Edwin E. Willis, of Louisiana, and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director; William A. Wheeler, investigator; and Fulton Lewis III, research analyst.

Mr. WILLIS. The subcommittee will be in order, please.

Mr. Arens, please call your next witness.

Mr. ARENS. Mr. Chairman, before calling the witness, I should like to make a couple of announcements, if I may, please.

I would like to call the Chair's attention to a situation which I think will be gratifying to the committee.

Last evening, at the hotel at which the committee is staying during our visit here in San Francisco, we received, at least up until about bedtime, over 1,000 telegrams from the citizenry—just plain Mr. and Mrs. America—here in the San Francisco area and throughout California, strongly endorsing the work of the committee, urging the committee not to be in any sense dissuaded by the demonstrations and by the activities of the Communists in these proceedings.

Mr. WILLIS. We will not tolerate demonstrations either pro or con. It does not make any difference. We must face that issue. It will not be tolerated.

Mr. ARENS. The committee does not have here the facilities to answer these telegrams or to express committee appreciation, so I thought the chairman might like to have his attention called to this vote of confidence, although the committee does not in any sense feel it is engaged in a popularity contest with the Communists.

The citizenry here has, unsolicited, made its expression to the committee of the committee's work.

Secondly, Mr. Chairman, it was the intention of the staff to produce for testimony this morning a person who is presently serving in the conspiracy as an undercover agent. In view of the combination of circumstances, including the seriousness of the operation, itself, by the process of communication with that person we have decided to defer that testimony.

Whether it will come at all during this particular hearing, we are not prepared to say.

We, therefore, are proposing to proceed by having identifications made of certain intraparty documents, then having the significance of those documents interpreted by Mrs. Hartle.

Then we expect to interrogate certain of the persons who are involved in the pattern of activity revealed by these documents.

Then, this afternoon, Mr. Chairman, we expect to have at least one friendly witness who has broken from the conspiracy—whose break, incidentally, is known by the conspiracy—to testify and to proceed interrogating other persons respecting the general subject matter.

Therefore, Mr. Chairman, if it meets with your approval, we should like to request that Mr. William Wheeler, of the staff, resume the witness chair. He was sworn yesterday.

I would like for him to identify certain documents.

Mr. WILLIS. Proceed, Mr. Wheeler.

#### TESTIMONY OF WILLIAM A. WHEELER—Resumed

Mr. ARENS. Mr. Wheeler, you were sworn yesterday?

Mr. WHEELER. That is correct, sir.

Mr. ARENS. And you identified yourself yesterday on this record as an investigator for the Committee on Un-American Activities?

Mr. WHEELER. Yes, sir.

Mr. ARENS. And you gave us your background and experience in this field; is that correct?

Mr. WHEELER. Correct, sir.

Mr. ARENS. Mr. Wheeler, yesterday you introduced documents which you had acquired in the course of your official duties as an investigator of this committee, certain documents from unimpeachable intelligence sources revealing a course of activity in the recent past within the conspiratorial operation in California.

Mr. WHEELER. Yes, sir.

Mr. ARENS. Would you kindly proceed with identification and a brief summary description of the documents which were introduced yesterday as Committee Exhibit No. 28? (See App., p. 2350.)

Mr. WHEELER. This particular document relates to an interflight in the Communist Party of San Francisco. It refers particularly to the section known as the AFL Section, American Federation of Labor.

This section was composed of members of the Communist Party who were also members of the AFL; the AFL Section of the Communist Party here evidently thought they were entitled to a little free expression, to formulate their own policy.

This idea they had didn't set well with their leadership of the party in this area, that is, the county committee of the Communist Party of the Northern District of California, in San Francisco.

Their position for free expression led to the expulsion of the organizer of the AFL Section, a man by the name of Vern Bown.

As a result of his expulsion, the AFL Section was disbanded also and thrown out of the party.

In November of last year——

Mr. ARENS. Mr. Wheeler, so this record may be clear, the AFL as a labor entity, and particularly the head of the AFL, George Meany, are strongly, adamantly, anti-Communist; is that correct?

Mr. WHEELER. That is correct, sir.

Mr. ARENS. You are speaking now of documents revealing an attempt by the Communists in California to penetrate that organization?

Mr. WHEELER. That is correct; yes, sir.

In November 1959, the section committee of the AFL Section prepared a document which was presented to the National Convention, CPUSA, New York City, in which they outlined the difficulties they were having with the leadership in northern California.

This document appealed to the National Committee, CPUSA, to reestablish the AFL Section, to come to San Francisco and investigate the expulsion of Vern Bown and the disbanding of the section.

Nothing was done concerning this at all. The section is still out of the Communist Party, and Mr. Bown is still expelled, as far as we know, at this time.

The second section of this document is a report made by the section organizer of the AFL Section in 1959, Mr. Vern Bown.

In this document, he outlines the progress of the AFL Section and also claims that they were following the Communist Party line and its objectives and is very disturbed about the expulsion.

Mr. ARENS. Mr. Wheeler, will you hesitate there and let me make a statement for the record. You tell me whether or not it is correct.

I am trying to interpret what you are saying so that the record will be absolutely clear as to these documents that are before you.

The first document you have there is a report, is it not, to the National Committee of the Communist Party, in which the author of the report is complaining to the National Committee of the Communist Party respecting the expulsion from the Communist Party of certain comrades? Is that correct?

Mr. WHEELER. Of one comrade.

Mr. ARENS. Of one comrade.

Mr. WHEELER. Yes, sir.

Mr. ARENS. The second section of the report or of the document which you have, which you have identified, is a report of a section leader of the Communist faction within the AFL in California?

Mr. WHEELER. No, the second section is a report of the AFL Section Organizer, Mr. Vern Bown, to a meeting of the party's AFL Section in San Francisco in 1959; the report was also submitted to the party's Executive Committee for the Northern California District. He outlines the progress made by the AFL Section under his direction.

Mr. ARENS. When you speak of the AFL Section, you are speaking of a section of the conspiracy which had penetrated the AFL activities; is that correct?

Mr. WHEELER. That is correct.

Mr. ARENS. Now, tell us what is the third segment of your report.

Mr. WHEELER. The third segment is the report made by the section organizer of the AFL Section for the year 1958, Leibel Bergman.

All these documents were presented to the National Committee, CPUSA, with an appeal that they come to San Francisco and investigate the reason why Mr. Bown was expelled and the AFL Section disbanded.

Mr. ARENS. Does the initial report there, in which the author is complaining to the National Committee respecting the expulsion of one of the comrades who was a leader in the AFL Section of the party—does that report complain as to the processes and procedures used by the Communist Party of California as a prerequisite to the expulsion itself?

Mr. WHEELER. It certainly does. It is very revealing.

Mr. ARENS. Does the report compare the procedures of the comrades in expelling a comrade to police state methods?

Mr. WHEELER. It certainly does.

Mr. ARENS. In other words, does the report reveal the comrades in their own trial proceedings hardly follow the patterns of fair play and justice?

Mr. WHEELER. That is right. He is entitled to no representation. He is entitled to no witnesses. In fact, they said that the Communist Party cell has conducted trials worse than our Government in Smith Act cases.

Mr. ARENS. In other words, that report reveals a Communist complaining to the National Committee that the Communist Party, itself, in the expulsion proceedings of other comrades uses methods which the comrade compares to the Smith Act cases which the party has been complaining about ever since the Government has been trying to imprison the traitors of this country; is that correct?

Mr. WHEELER. That is right. They claim that this trial was worse than the Smith Act cases; that the Communists themselves had more freedom of expression and degree of defense in the Smith Act cases than they, themselves, have in their internal—

Mr. ARENS. Indirectly, then, the comrade is complimenting the Government of the United States on the fair play of our judicial system; is that correct?

Mr. WHEELER. Well, I don't know whether they are complimenting or not, Mr. Arens.

Mr. ARENS. Is the record clear, Mr. Wheeler, that you have procured these documents which you have in your hand from unimpeachable sources?

Mr. WHEELER. That is true.

Mr. ARENS. Of known reliability, intelligence sources.

Mr. WHEELER. It came from internally, within the Communist Party. I might add one thing.

In this complaint—it sets forth a lot of them, which I know Mrs. Hartle is going into—it says:

All members of the Section are forbidden to associate with the Organizer in any official capacity.

Mr. ARENS. In other words, the Communist Party is directing the comrades to not have certain associations?

Mr. WHEELER. Not to have any.

Mr. ARENS. All right, sir. Thank you, Mr. Wheeler.

Mr. Chairman, I respectfully suggest that for a few moments, based on her background and experience in the hard-core conspiracy,

Mrs. Barbara Hartle resume the stand to give us a word of interpretation of the significance of these documents.

### TESTIMONY OF BARBARA HARTLE—Resumed

Mr. WILLIS. Mrs. Hartle has already been sworn.

Mr. ARENS. Mrs. Hartle, in the recent past you have studied the documents, or at least the copies of the documents which Mr. Wheeler has just identified in this record; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Would you kindly, at your own pace, in an abbreviated form, please, so that we do not consume an undue amount of time, give us a summary of the significance of these documents, and an interpretation of the meaning of these documents, based upon your background and experience in the conspiracy?

Mrs. HARTLE. After studying these documents it was pretty clear to me what had happened in the Communist Party here in California, because I had gone through a number of such events in the Communist Party in my long membership in it, and understood it quite easily.

What happened was that a leader of a section came into some disagreement with the county and higher leadership.

Instead of being able to express his disagreement, the county leadership or the State leadership, probably both in this case, decided that he had to be eliminated, removed—that he wasn't tractable enough for the discipline of the party organization.

The comrade in question, apparently, decided to rely on the constitution of the Communist Party, which formally, at least, gives certain hints that there is some democracy in the party, and relied on it, and found to his chagrin, no doubt, that he should never have tried to win his case that way.

What happened was that he took the matter to his section and to his club, and he took the stand that if his club approved of him and if his section membership and committee approved of him, and elected him, and there was nothing seriously wrong with him and he showed very well in the report, how well the section had done under his leadership—it had grown, engaged in a lot of activity, and while he didn't brag about it he did think they had done very well—and the section thought so, too, because one document says it comes from the whole section, but that, of course, made no hay with the county or state leadership, apparently, because he says what kind of a situation is it when the state committee leaders go around making speeches that are really charges against him and dignify them with the term "state committee report," or "district committee report."

He is pointing out how the technique works, when the top leadership wants to get rid of somebody under their thumb, or straighten them out, their statements and their reports and their activities are fully legal, and they are perfectly all right.

But if a subordinate starts disagreeing, then he has to be very careful about what methods he tries to use to justify his disagreement, and everything will be jumped on.

Of course, once the leadership has decided to oust the person, it doesn't make much difference what he does or says.

In plain words, they will frame him, finally, and they will just oust him, which they did in this case, and apparently did with the section.

There is no innerparty democracy. The Communist Party constitution and especially the basic work of Marxism and Leninism do not really brag about too much innerparty democracy themselves.

Mr. ARENS. What does the party mean when it speaks in party line lingo about democratic centralism?

Mrs. HARTLE. By democratic centralism they mean the higher committee has the complete control over the lower bodies, the decisions of the higher bodies are binding on the lower bodies, even until the appeal is taken and during that time.

That is just simply a centralistic setup. The interparty democracy part of it is a propaganda shield.

Mr. ARENS. I think that will suffice for the present, if you please, Mrs. Hartle.

I should like to ask you if you will return the document, please.

Mr. Chairman, the next witness, if you please, sir, will be Mr. Leibel Bergman.

Please come forward.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERGMAN. I do.

#### TESTIMONY OF LEIBEL BERGMAN, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BERGMAN. My name is Leibel Bergman. I live at 176 Highland Avenue, in San Francisco.

I am a forger helper, and I resent very much being hauled before this committee in this circus in this manner.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BERGMAN. I am; yes, I am.

Mr. ARENS. You are represented by counsel?

Mr. BERGMAN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George R. Andersen.

Mr. ARENS. Mr. Bergman, where and when were you born?

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I was born, all right, in Grand Forks, North Dakota, on May 5, 1915.

Mr. ARENS. Kindly give us a word about your formal education.

(The witness conferred with his counsel.)

Mr. BERGMAN. I have been educated in American school systems of Grand Forks, North Dakota, for 6 years of public school, 2 years junior high school; 4 years high school.

I am a graduate of the University of North Dakota, majored in mathematics.

Mr. ARENS. And could you give us the approximate time when you completed your formal education, please, sir?

(The witness conferred with his counsel.)

Mr. BERGMAN. The year 1934.

Mr. ARENS. How long have you resided in the Greater San Francisco area?

(The witness conferred with his counsel.)

Mr. BERGMAN. Six or seven years; somewhere along in there.

Mr. ARENS. Can you tell us your principal occupation in which you have been engaged during your residency in the Greater San Francisco area?

(The witness conferred with his counsel.)

Mr. BERGMAN. I worked as a helped in a forge shop for almost all the time.

Mr. ARENS. Have you been engaged in any other outstanding activity during the course of your residency in the Greater San Francisco area?

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I have been a husband and a father. I don't really understand your question.

Mr. ARENS. Since you don't understand it, I will be more specific.

I should like to lay before you now two documents, each of which has been identified under oath in this record. (Committee Exhibit No. 28, see App., p. 2350.)

Mr. ANDERSEN. Would you ask them to turn off the lower light.

Mr. WILLIS. Is that all right?

Mr. ANDERSEN. Yes.

Mr. ARENS. The first document has been identified as a document which is in the nature of a complaint to the National Committee of the Communist Party, in which the author is complaining about the expulsion procedures of a leader of the AFL Section of the conspiracy here in California, in which the author is complaining that the procedures were completely without any degree of fairplay, in which the author is complaining that no one from the section was allowed to observe the trial; in which the author is comparing the procedures by which this section organizer was expelled to the worst type of procedures one could imagine in Fascist states and the like.

I lay this first document before you and ask you now, sir, while you are under oath, if you will tell this committee whether or not you are the author of that document?

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Chairman, so that we may not find ourselves confronted with a new delaying tactic, I respectfully suggest that the question be altered into this form, namely:

Mr. Witness, does the document which has been displayed to you and which your counsel is now reading, which is an extensive document, appear to be a duplicate of the report made by you to the National Committee of the Communist Party?

When you say that, I want the record to reflect that this committee will not tolerate a situation in which the time of the committee is unduly taken for the purpose of delay.

(The witness conferred with his counsel.)

Mr. WILLIS. Did you get the question, sir?

(The witness conferred with his counsel.)

Mr. BERGMAN. I don't understand that there is a question at this particular time.

Mr. ARENS. I will ask it again. The question is: Does this document which I have displayed to you, and I have been watching my

watch, some 4 minutes ago, appear to be a true and correct reproduction of a report made by you to the National Committee of the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. Well—what is your official title, by the way?

Mr. ARENS. You know it. The comrades all know it. It is Richard Arens, staff director of the Committee on Un-American Activities.

Mr. BERGMAN. It seems to me that you have two alternatives when you hand me a document. You can either give it to me ahead of time so that I can look it over and give you my opinions on it, or you can let me see it at a point where I can look it over and comment on it and my attorney can look it over.

You have a choice of one or the other. You do not have the choice, it seems to me, of throwing something under my nose and asking for my opinions on it without a chance to read it.

Mr. ARENS. Mr. Chairman, I respectfully withdraw the question in its entirety and substitute another question.

Did you, sir, make a report in December of 1959, file a written report, with the National Committee of the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I would like to ask a question of you.

Mr. WILLIS. You are not going to ask any questions. I will order you to answer the question.

Mr. BERGMAN. I was asking how the question was relevant to the material of the investigation?

Mr. WILLIS. All right.

Mr. ARENS. I will be very glad to make another explanation.

This Committee on Un-American Activities is under a mandate from the United States Congress to maintain a continuing surveillance over the administration and operation of our security laws.

This Committee on Un-American Activities is constantly developing factual information which the committee uses for the purpose of advising the Congress of the United States respecting the operation on American soil of this conspiratorial force, part of which masqueraded behind the facade of the Communist Party.

This Committee on Un-American Activities has had an investigation going in the Greater San Francisco area for several months, in which we have, we believe, developed widespread ramifications of this cancerous growth here.

This Committee on Un-American Activities in the course of the investigative processes has developed factual information to the effect that you did make a report to the National Convention of the Communist Party, a significant report, a copy of which we have, a copy of which has been identified on this record.

We have subpoenaed you because we are hopeful—by direction and perhaps by indirection—we can, on this record, develop at least a tidbit of information to add to the other factual material which this committee has, so that this committee, in the discharge of its duties, will have that information available to advise the United States Congress on the machinations of the Communist conspiracy.

If you, sir, will tell us truthfully, while you are under oath, whether or not you did make a report to the National Convention of the Communist Party, it will be my intention, as staff director of this com-

mittee, to then ask you whether or not the particular report which I laid before you is a true and correct copy of that report.

I then expect to pursue with you the whole area of inquiry respecting the facts upon which you did make your report to the National Convention of the Communist Party, respecting any instructions which you may have received, if you were in attendance at the National Convention of the Communist Party, all for the legislative purpose of accumulating factual material so that this committee can appraise the administration and operation of our existing security laws and advise the Congress of the United States on any amendments or additional legislation which the facts seem to warrant.

Now, with that explanation, Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. WILLIS. You are ordered and directed to answer the question. (The witness conferred with his counsel.)

Mr. BERGMAN. Well, after that remark, I am enlightened to the fact that the business of the committee is to collect tidbits of information.

In answer—I understand that when you tell me to answer a question, I have got to answer it, so I am now declining to answer that question.

I have a number of reasons for which I so decline. In the first instance, I decline because I don't recognize the competency of this committee, not only because of the brief which says that the committee chairman, his actual presence in Congress, is a violation of the fourteenth amendment, but also because every member of the committee, it seems to me, serves improperly.

When they were elected to Congress, they took an oath of office to uphold the Constitution of the United States. Instead, they subvert the Constitution of the United States, sneer at its amendments, and attempt to pillory people who face them.

And for that reason, I say that the first amendment of the Constitution of the United States, which states very clearly that I and any citizen of the United States has a complete right to think as we please, to associate with whom we please, to have the freedom of speech, and those other rights which the first amendment allows, I, therefore, have to, and consider that the first amendment of the United States Constitution protects me in my refusal to answer this question from this committee at this time.

(Disturbance in the hearing room.)

Mr. WILLIS. The committee rejects the validity of your plea, but if you stand on it, that is it.

Proceed.

Mr. ARENS. Did you attend the National Convention of the Communist Party in New York City this last winter, in December of 1959?

(The witness conferred with his counsel.)

Mr. BERGMAN. Before this proceeding goes very much further, instead of answering this second question, I have a continuing answer to the first question.

Mr. ARENS. You are going to invoke the fifth amendment now; is that it?

Mr. BERGMAN. I am going to give further reasons for my refusal to answer the question.

Mr. ARENS. Go right ahead.

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I have an additional reason in which I refuse to answer the question.

One is the constitutional amendment, I believe, the sixth, that gives a person accused of anything the right to confront his witnesses.

Since I have not had that opportunity, and I, apparently, from the past experience of this committee, am not about to get such opportunity, I will have to respectfully decline to answer any other questions, any question with respect to that.

(Disturbance in the hearing room.)

Mr. WILLIS. Wait a moment.

Mr. BERGMAN. I am not through.

Mr. WILLIS. I now instruct the officials in the audience to watch who appears to be the principal leaders of these outbursts and then, if it recurs, to eject them. We had it yesterday. We want to be fair to you young people. We like to have you here. You are welcome as our guests. But you simply cannot make a farce of the legislative branch of the Government that we represent.

Mr. ARENS. Have you completed your answer?

Mr. BERGMAN. I wish to give an additional reason why I do not choose to answer this question.

In fact, I have two other reasons. One is a simple one, that I do everything I can to merit the respect of my children and I don't think I could get that kind of respect by cooperating in any way with history, purposes, and many of the crimes committed by this committee.

However, I now appeal to one other provision of the Constitution. Certainly the first amendment of the Constitution should be sufficient to protect anyone, since, by action of this committee and other bodies, the rights under the first amendment have been chopped away at, leaving for those who face this kind of activity only one recourse.

I might say in passing that this was the same kind of recourse faced under medieval tortures, faced under inquisitions, where finally people won a right to refuse to testify against themselves, either by the rack, by torture, or by intimidation.

I, therefore, state that I refuse to answer that question on the ground of the fifth amendment to the United States Constitution.

Mr. ARENS. Do you have information respecting the mockery—and I am reading from a report—

... the mockery of an alleged trial of a comrade who was expelled from the Communist Party?

Do you have information respecting the "farcical trial," and I am quoting from the report, "that makes a mockery of every party principle"?

Can you enlighten this Committee on Un-American Activities respecting this technique, this pattern of activity of the Communist Party?

Do so, please, sir, so that you can help your Government meet the threat of this conspiratorial force.

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I want to remind the investigator, or director, whatever the title is, that I am here against my will in order to answer certain questions. I am not here as an expert witness to determine any questions that the prosecutor has in mind. I, therefore, can't see—also, I am well aware of the fact that anything I might say would be distorted and blown up and so on. Consequently, I don't see where the investigator gets off asking me any questions about my opinion.

Mr. WILLIS. Proceed, Mr. Arens.

Mr. ARENS. Now, sir, do you know a person by the name of Vern Bown?

(The witness conferred with his counsel.)

Mr. BERGMAN. How does that question relate to this investigation?

Mr. ARENS. Very simply, sir; that Vern Bown is the person who, according to your report, was expelled as one of the leaders of the Communist conspiratorial force within the AFL-CIO, and in your report you deplore and complain to the National Committee respecting the unfair trial practices engaged in by the conspiracy in its expulsion of Bown, and you complain that no person from the section was even permitted to be present, and that he didn't have the right of counsel, as you have here today. He did not have information respecting the nature of the charges, and that no one of the section membership would be allowed to observe it. You complain as to the outrages of this conspiratorial force in violating its own procedures for an expulsion.

Therefore, we should like to ask you if you know Mr. Bown and, if so, if you can tell us further about him and about any Communist Party activities in which, to your certain knowledge, he was engaged, all for the legislative purpose of acquiring information which this committee can use in appraising the factual situation in which we find the internal security laws of this country being evaded, wholesale, by the conspiracy, being virtually ineffective at this very hour against the conspiracy that threatens freedom everywhere.

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Chairman, with that explanation, I respectfully suggest that the record reflect an order and direction to the witness to answer the question.

Mr. WILLIS. I order and direct you to answer the question.

(The witness conferred with his counsel.)

Mr. BERGMAN. After that explanation, I still fail to see pertinency. I want to remind the committee that I am here against my will. I do not sympathize with this committee.

Mr. WILLIS. You said that before.

Mr. BERGMAN. And that, consequently, I am not prepared to tell this committee anybody's name who I may or may not know.

One other word, and that is that the remarks made by you to say that this was said by me are your remarks, not mine, and I do not go along with them, either by inference or anything of the sort, and I refuse to stand for the inference in your remarks.

Mr. ARENS. Mr. Chairman, is the record clear that this witness has not invoked that part of the fifth amendment which gives him the privilege of not giving information which could be used against himself in a criminal proceeding?

Mr. WILLIS. He has not. He has competent, very cautious counsel, and I am not going to suggest any particular constitutional amendments that he should invoke in his own behalf, if he is entitled to them.

He is entitled to constitutional protection, and, of course, we accord those rights. But I am not going to remind him every time just for purposes of delay.

Mr. ARENS. I intend, Mr. Chairman, to proceed to another subject.

Mr. WILLIS. He will not be warned any more.

Mr. ARENS. Did you in 1958 make a report respecting the AFL Section to the comrades?

Please answer that question whether or not you made such a report in 1958.

(The witness conferred with his counsel.)

Mr. BERGMAN. Going back to the previous question, do I understand that the committee has directed me to answer that question more explicitly than I have stated?

Mr. WILLIS. No, I made no such request.

Mr. ARENS. The question is outstanding on this record, Mr. Chairman, and the record is perfectly clear.

Did you, in 1958, make a report to the comrades of the Communist Party respecting the AFL Section of the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. Going back to that other question, I noted the glee with which the investigator wants to slide from one question to another in the hope that I would overlook that I failed to avail myself of every constitutional safeguard I have. Consequently, with respect to that question and to this question, I state the following:

The previous question and this one, under the first amendment of the Constitution, under the sixth amendment of the Constitution, under the fourteenth amendment of the Constitution, under the fifth amendment of the Constitution, and under the whole Constitution, I refuse to answer either one of those questions.

Mr. WILLIS. Proceed.

Mr. ARENS. Now, Mr. Chairman, for the purpose of testing the good faith of this witness in invoking that part of the fifth amendment which gives him the privilege of not supplying information which he considers could be used against him in a criminal proceeding, I now ask him this question—and it is solely for the purpose of testing his good faith:

Do you, sir, honestly apprehend that if you answer truthfully these questions which are being posed to you by this committee, you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I am going to answer the question, although I don't think you have any right to inquire as to my good faith. My good faith stands alone.

Let me state as follows with respect to that: My answer to the previous two questions stands as I have given them. I have been accused here of all kinds of fancy crimes, of being a part of a conspiracy. I have been called a comrade by this investigator, and I am certainly not his comrade in any sense of the word, and my answer to those previous questions stands, and my answer to this question stands.

Mr. ARENS. Mr. Chairman, I respectfully suggest this record reflect an order by the chairman that the committee does not accept that response to the question, which was asked in good faith for the purpose of testing the good faith of this witness in invoking the fifth amendment, and that the witness be ordered and directed to answer whether or not he truly and honestly believes that if he answered these outstanding questions of the committee truthfully while he is under oath, he would be giving information that might be used against him in a criminal proceeding.

I announce again for this record that the purpose of these questions is to test the good faith of the witness. The reason why we test the good faith of the witness is that we have abundant evidence that persons who are Communists, who have been identified as Communists, who operate in the Communist Party have no regard whatsoever for the truth and are under instructions of the conspiracy to lie to congressional committees.

With that explanation, sir, I respectfully suggest that the order go on this record as to why I am interrogating the witness in this vein.

Mr. WILLIS. That is a perfectly proper question. Without arguing, I order you to answer the question.

(The witness conferred with his counsel.)

Mr. BERGMAN. Well, I think that last question is an attempt to intimidate me. I have given my answer to the questions, on the previous questions and on this question and the other questions.

I have rights as a citizen of the United States. These rights are guaranteed under the Constitution. I have been accused of all kinds of crimes by this committee. Certainly if I invoke the protection of the fifth amendment, it is only logical in view of the crimes this gentleman is supposed—excuse me—this investigator is supposed to have accused me of.

Mr. WILLIS. Proceed.

Mr. ARENS. Are you now, this instant, a member of the conspiratorial force on American soil known as the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. You have got me with a double-barrel question. Break it up and I will answer it in two parts.

Mr. ARENS. I will be glad to accommodate you in that respect.

Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. I take the first, sixth, fourteenth, fifth amendments to the Constitution of the United States to that question.

I do so in full awareness that these amendments of the Constitution were designed to protect exactly people like me facing people like you.

Mr. ARENS. Now, we are going to take the other part of the question. You asked us to break it up.

Are you now a member of that conspiratorial force known as the Communist Party?

(The witness conferred with his counsel.)

Mr. BERGMAN. That is still the double-barrel question. You will have to break it up again.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Vern Bown.

Kindly come forward.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOWN. I do.

# TESTIMONY OF VERNON BOWN, ACCOMPANIED BY COUNSEL, VINCENT HALLINAN

Mr. ARENS. Kindly identify yourself, sir, by name, residence, and occupation.

Mr. BOWN. My name is Vernon Bown. I live at 585 San Bruno Avenue, San Francisco. I am a warehouseman.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BOWN. What? I did not understand the question.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BOWN. I am.

Mr. ARENS. You are represented by counsel?

Mr. BOWN. I am.

Mr. ARENS. Counsel, kindly identify yourself on this record.

Mr. HALLINAN. My name is Vincent Hallinan.

Mr. BOWN. I might add that I am only partially represented by counsel because of the fact that counsel in these cases is denied the right to have anything to say and properly defend his client.

Mr. WILLIS. Proceed.

Mr. BOWN. I would suggest that in view of the constitutional provisions—

Mr. ARENS. Do you have a recollection, sir, of a proceeding—

Mr. BOWN. I would suggest that the Constitution provides that anybody is supposed to be provided with counsel, proper counsel, I might say, and that includes the right of the counsel to speak up in behalf of his client.

This committee does not and has never done this.

Mr. ARENS. Do you have recollection of a proceeding in which you were involved, in which you were denied counsel in toto?

(The witness conferred with his counsel.)

Mr. BOWN. Yes, sir; right here.

Mr. ARENS. Do you have recollection of another proceeding in which counsel wasn't even permitted in the room in which you were involved?

(The witness conferred with his counsel.)

Mr. BOWN. I am afraid I don't understand your question, nor do I see the significance of it.

Mr. ARENS. I will be glad to explain the significance of it.

There has been identified on this record, a report to the National Committee of the Communist Party, made by a comrade, in which, in that report, the comrade is complaining about the expulsion of another comrade.

That second comrade, who was expelled, according to the report, was denied the privilege of counsel; he was denied the opportunity to know the nature of his charges; he was denied the opportunity to offer proof of his alleged innocence. He was denied even the company of fellow comrades. He was denied any semblance of fairplay, and this one comrade is complaining to the National Convention of the Communist Party about this particular proceeding.

Since you apparently can't quite understand the pertinency of this line of inquiry, I will say to you that this committee is trying to develop information respecting the techniques, mode of operations, of this conspiratorial force which masquerades behind a facade of dog-goodism, humanitarianism, which is sweeping the world, which has destroyed more lives on this planet than any other force since the dawn of time.

Now, sir, this committee expects to take back to Washington with it, by direction or indirection, considerable information which will be of value in the duty which this committee has to evolve legislation to attempt to cope with this conspiratorial force on American soil.

With that explanation, sir, I now ask you to respond to the principal question.

MR. BOWN. After that long speech, I have forgotten what the question was.

MR. ARENS. I will be glad to repeat it to you.

(The witness conferred with his counsel.)

MR. BOWN. Mr. Chairman, after that long speech of yours, long-winded speech, I am of the opinion that you are beginning to sound a little bit like you ought to see a psychiatrist.

Maybe you sound halfway like a nut. I thought the witch hunts went out with Senator McCarthy, but it seems that this committee—

MR. WILLIS. Witness, I order you to answer the question.

MR. BOWN. But it seems that this committee is still interested in carrying out witch hunts.

In spite of the opinion in the community against them, and as far as the purposes of this committee are concerned, I certainly don't agree with the explanation you gave. My opinion of the purpose of this committee is somewhat different.

MR. ARENS. Now, sir, would you kindly respond to the last outstanding principal question, to which you have been ordered to respond by the chairman of this committee on this record and pursuant to which you have been in consultation with your counsel before this committee in this public session?

MR. BOWN. You mean you are inferring that I have no right to ask my counsel?

MR. ARENS. Is the record clear, Mr. Chairman, that the witness has been ordered and directed to answer that question?

MR. WILLIS. It is very clear.

MR. ARENS. Mr. Witness, we will proceed to another subject matter.

Now, sir, kindly tell us how long you have been employed at your present place of employment.

(The witness conferred with his counsel.)

MR. BOWN. Mr. Chairman, why do you continue to interrupt me when I am trying to give a statement, and what right—

MR. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer this last outstanding question,

namely: How long he has been employed at his present place of employment.

Mr. BOWN. Mr. Chairman, I say to you now that I am not going to be intimidated by you, this committee, or anybody else. I am not in the habit of being intimidated and I don't expect to start now.

Mr. WILLIS. Proceed with the next question.

Mr. BOWN. What was your question?

Mr. ARENS. The next question, if you please, Mr. Chairman, is this: Are you now, this instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BOWN. Mr. Chairman, I respectfully submit that the purposes of this committee are to intimidate witnesses, to try to smear them with the Communist or any other, you know, some derogatory terminology. You attempt to get people fired from their jobs, like you did with me when you came over on the job or had somebody come over there and serve a subpoena on me in front of my fellow workers.

These are the purposes of this committee, to persecute people. They are not to gather information, except as such that that information will help them to get publicity and, of course, I suppose to justify the enormous appropriation they were able to get from Congress this year.

I object or I challenge the moral right of this committee to ask me any questions concerning my beliefs, my activities, or what I do. On the advice of my attorney—

Mr. ARENS. You are now reading from a prepared paper; is that correct?

Mr. BOWN. Will you please let me read?

Mr. ARENS. You are now reading from a prepared statement; is that correct?

Mr. BOWN. I am going to give you my reasons for refusing to answer the question.

Mr. ARENS. You are reading from a prepared statement?

Mr. BOWN. I am giving you my reasons. Whether I give them from a prepared statement or not, is none of your business.

On the advice of my attorney, I refuse to answer that question for the following reasons:

It is not within the scope or the scope of the purposes for which this committee was formed.

Number two: The committee has no right to inquire into my personal, private beliefs or associations.

The question violates my rights under the Constitution of the United States and particularly the first and fifth amendments thereto.

For those reasons I refuse to answer your question.

Mr. ARENS. Were you, in 1959, the organizer of the AFL Section of the Communist Party?

(The witness conferred with his counsel.)

Mr. BOWN. Evidently this is another question similar to the last, and for the same purpose, to intimidate me and to try to get me to answer something about which you can bring some stool pigeon up here and have them say that I am a liar.

Mr. Chairman, are these questions—

Mr. ARENS. Does that conclude—

Mr. BOWN. Are these questions actually designed for the purpose of legislation?

Mr. WILLIS. I order you to answer that question. It is a simple question.

Mr. BOWN. Mr. Chairman, will you please stop interrupting me? I have as much right to be heard as you do.

Now, you seem to think that people are your slaves, or that they have to do everything that you tell them to do. You are my superior, you seem to think. I don't recognize superiors. I only recognize bosses, and you are not my boss. If I want to make a statement here, I will make it.

Mr. WILLIS. I order you to answer the question.

Mr. BOWN. I will answer the question, when I get ready, but first, I want to say that this committee is here for the purpose of—

Mr. WILLIS. Proceed with the next question, Mr. Arens.

Mr. ARENS. The next question, if you please, Mr. Chairman—

Mr. BOWN. I have not refused to answer that question.

Mr. WILLIS. You answer it or we will proceed.

Mr. BOWN. I will answer it in my own good time. I think I have a right to make a statement here. I have a right to say what the purpose of these questions are, or to question the purpose of these questions, and I don't think you have any right to interrupt me when I am doing so, and say I have to answer when you want me to answer.

I will answer when I get ready to answer. You sound like a madman. You sound like you have the right to order people around. You people are elected by the people of this country.

Mr. WILLIS. Proceed with the next question.

Mr. BOWN. You people are elected by the people of this country, except Mr. Willis, of course, who was elected by a small minority of the registered voters in his district. And he has the temerity and audacity to come to this northern part of the country and try to tell people who really have the vote what to do.

He wasn't elected by the people. He was elected by about 8,000 out of a constituency of 300,000.

Mr. WILLIS. I will ask the officials to withdraw the witness within 15 seconds if this continues.

Mr. BOWN. On the advice of my attorney, I refuse to answer that question for the following reasons: the same reasons as I gave before.

Mr. ARENS. Are you presently—

Mr. BOWN. Will you please let me answer, Mr. Chairman.

Mr. ARENS. I beg your pardon.

Mr. BOWN. It is not within the scope of the purpose for which this committee was formed. The committee has no right to inquire into my personal, private beliefs or associations.

The question violates my rights under the Constitution of the United States and particularly under the first and fifteenth amendments thereto.

Mr. ARENS. Do you have any present information respecting—  
(Disturbance in the hearing room.)

Mr. BOWN. Why is she being put out, Mr. Chairman? Are only the spectators allowed here that you want in here?

(Disturbance in the hearing room.)

Mr. BOWN. This is part of this whole vicious witch hunt. They don't want people here who oppose them.

In spite of the fact that there has been a tremendous amount of opposition to this committee expressed in this community, these people

still insist on coming in here and carrying on a witch hunt. Now, they are throwing out people who want to listen to this.

Mr. WILLIS. Have you completed your answer?

Mr. BOWN. Proceed, Mr. McCarthy.

Mr. WILLIS. Was that your last question, Mr. Arens?

Mr. ARENS. I was interrupted in trying to pose a question. I will rephrase it, if you please.

Sir, do you have present information respecting the operations in 1959 of the AFL Section of the Communist Party of California?

(The witness conferred with his counsel.)

Mr. BOWN. That question, of course, is related to all the others. It has the same purpose, evidently.

This is another part of the attempt to smear a workingman and to deny them the right to make good wages, to get better conditions in their shops. It is an attempt to intimidate people, to intimidate workers and people who might help to try to lead workers into getting better conditions.

This is part of the conspiracy of this committee, not to uphold the Constitution, but to subvert our Constitution. You have practically destroyed the first amendment to the Constitution already by denying people the right to refuse answers on the grounds that you have no right whatever to inquire into their associations or beliefs and so forth.

Mr. ARENS. Does that complete your answer?

Mr. BOWN. That does not complete my answer; as much as you would like it to, wouldn't you? That is just more evidence that your purpose here is not to gather information, but to try to catch somebody in some legal terminology or some legal mistake on which you can then indict them for contempt of Congress.

Mr. ARENS. Now, would you kindly complete your answer?

Mr. BOWN. I will. Would you like me to read this again, or do you want to accept my former statement; the fact that I read this before?

Mr. ARENS. If you want to say "for the same reasons which I gave in refusing to answer the last question," that is acceptable on this record.

(The witness conferred with his counsel.)

Mr. BOWN. I would prefer to read it, because then I won't make any mistakes on which you can hang some legal technicality.

On the advice of my attorney, I refuse to answer that question for the following reasons: It is not within the scope of the purpose for which this committee was formed.

Number two: The committee has no right to inquire into my personal, private beliefs or associations.

Number three: The question violates my rights under the Constitution of the United States, and particularly under the first and fifth amendments thereto.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

If it meets with the approval of the committee, I respectfully suggest that we take about a 5-minute recess so that we may get our files organized to proceed in a few minutes.

Mr. WILLIS. The committee will take an informal recess for 5 minutes and the witness is excused.

(A short recess was taken.)

(Subcommittee members present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will be in order.

May I say that we very sincerely, more than you believe, appreciate the cooperation of the audience. It is a difficult hearing. I suppose by now all of you must understand that this is really not a pleasant job, but we do sincerely appreciate the cooperation.

We want people to be in here as our guests. I do hope that order will continue to be maintained.

Proceed, Mr. Arens.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Joseph Figueiredo.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FIGUEIREDO. I do.

# TESTIMONY OF JOSEPH FIGUEIREDO, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. FIGUEIREDO. My name is Joseph Figueiredo. I live at 1250 Girard Street.

Mr. ARENS. And your occupation, please?

Mr. FIGUEIREDO. What is relevant about that? You know where I work. You sent the subpoena to where I work.

Mr. ARENS. Personally, I don't. I think it would be nice to have it in the record.

Mr. FIGUEIREDO. If you don't, how did you arrange to have the marshal go to the job where I work and have the subpoena issued? How did you know that if you don't know where I work?

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. FIGUEIREDO. What is the purpose of the question in where I work? What is your motive?

Mr. ARENS. I will withdraw that question.

You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. FIGUEIREDO. I am.

Mr. ARENS. And you are represented by counsel?

Mr. FIGUEIREDO. I believe very inadequately. I believe the committee has abused and fundamentally violates the Constitution even in this door, by the fact that it denies the actual due process of law in limiting the participation of counsel here in the defense and participation of a witness.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. ANDERSEN. George R. Andersen.

Mr. WILLIS. Let me say not to the witness, but as a plain matter of procedure, this, of course, is not a court proceeding. It is a congress-

sional committee engaged in work, and no committee of Congress goes beyond this one, namely, to have the person testifying given the benefit of counsel by his side to assist him as we go along, not to advise with the idea of stalling. Of course, we will not stand for that. There must be a point of reasonableness. But on sensitive questions, witnesses have the benefit of counsel.

There are 19 committees of the House, and as many or more committees in the Senate. In our work in the Congress, that is the extent of counsel's participation. No committee could ever have legislation performed or duties discharged by having an adversary proceeding more than what is afforded here.

Proceed, Mr. Arens.

I said that merely for the record.

Mr. ARENS. Where and when were you born, please, sir?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. I was born September 7, 1910, in the honorable Commonwealth of Massachusetts, which had the honor to be the first State which got rid of witch hunts, and I am glad to be able and proud to participate in the modern effort to eliminate witch hunting in our country.

Mr. ARENS. Did you participate in elimination or attempted elimination of witch hunting in Massachusetts?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. I am against witch hunts no matter where it takes place, and wherever you go or any other witch hunt committee goes I will be opposed to the witch hunts.

Mr. ARENS. Now, please answer the question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. What is the purpose and the relevancy of that question?

Mr. ARENS. You opened the line of inquiry.

Mr. Chairman, this record reflects that this man here has opened the door on this line of inquiry by volunteering his opposition to what he has characterized as witch hunts.

I then asked him if he had taken an active part in eliminating, or attempting to eliminate, what he regarded as witch hunts in the State of Massachusetts.

I, therefore, now, Mr. Chairman, insist upon an answer to this question. I respectfully request that the Chair order and direct this witness to answer the question.

(The witness conferred with his counsel.)

Mr. WILLIS. Mr. Arens, you are perfectly correct that he has opened the door and this could be pursued. But go to the next question and connect it.

Mr. ARENS. I will be very glad to do so, sir.

I lay before you now a thermofax reproduction of the Communist Daily Worker of New York, Friday, December 3, 1954. I should like to read it to you in toto and then expect to show it to you. It is entitled Figueiredo Nails Lies by Witch Hunters":

NEW BEDFORD, MASS., December 2.—Underhanded tactics by the State Commission Investigating Subversive Activities were exposed here last week in a letter which appeared in the New Bedford Standard Times. The letter was from Joseph Figueiredo, one time secretary of the Communist Party of Bristol County, and now living in California. It seems that the State Commission was spread-

ing the word around in New Bedford that Joe Figueiredo was "cooperating" with the Commission and was fingering militant workers.

The letter from Figueiredo sharply denied this allegation.

And in the letter, Figueiredo is vigorously denying that he is cooperating in fingering any Communists.

Kindly look at that document and see if that might refresh your recollection with respect to your activity in regard to the investigations by the Massachusetts Commission which was investigating Communists in 1954.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. What is the pertinency of this question?

Mr. ARENS. Mr. Chairman, in view of the status of the record, it is not necessary to make an explanation of pertinency. This witness initiated this line of inquiry by telling of his adamant opposition to witch hunts.

I thereupon produced, and have laid before him, what I have characterized and described as a thermofax reproduction of an article in the Daily Worker respecting his activity in what he has in that document characterized as a witch hunt.

I, therefore, Mr. Chairman, respectfully request that this witness now be ordered and directed to answer the question which is outstanding, namely:

Is that a true and correct reproduction of your letter in which you are condemning what you characterize as a witch hunt in Massachusetts and setting the record straight that you are not fingering any Communists?

Mr. WILLIS. It is very plain. You are ordered and directed to answer the question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Since the committee states that it is not in witch hunts, then I can't see the purpose of this matter.

Further, I believe that this is a violation of the first amendment to the Constitution, to inquiring into my beliefs and associations, and, further, on the grounds of the fifth amendment that attempts to compel me to bear witness against myself.

(Document marked "Figueiredo Exhibit No. 1" and retained in committee files.)

Mr. WILLIS. Proceed.

Mr. ARENS. I don't believe, sir, the record reflects your age. I would like to ask you approximately how old you are?

Mr. FIGUEIREDO. I believe in the opening remarks I mentioned that I was born September 7, 1910, in Boston, Massachusetts.

Mr. ARENS. Thank you, sir.

Were you, as a young man, an organizer for the Young Communist League in Massachusetts?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Mr. Chairman, again I stand on the grounds of the first amendment. The committee is violating the first amendment pertaining to my beliefs and association, and on the fifth amendment of being compelled to testify against myself.

Mr. ARENS. Sir, we display to you a photostatic reproduction of the Communist Daily Worker of August 18, 1932, respecting the activities of a Communist candidate for some public office in Massachusetts.

In the course of the article, the following appears: "Joe Figueirado, Young Communist League organizer."

Kindly look at this document which is now being displayed to you and tell this committee while you are under oath whether or not that identification in that Communist publication of yourself as an organizer for the Young Communist League in 1932 is true and correct?

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Chairman, while he is examining the document, I respectfully request the Chair issue an order that these documents be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. Let them be so marked and incorporated into the record.

Mr. ARENS. Would you kindly answer the question now.

Mr. FIGUEIREDO. Mr. Chairman, I am compelled on the same grounds as in answering the previous question, the grounds of the first amendment with reference to my beliefs and associations. Secondly, on the grounds of the fifth amendment, the compulsion to be a witness against myself.

(Document marked "Figueiredo Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Now, sir, in 1937, were you a section organizer for the Communist Party?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Same answer, Mr. Chairman.

Mr. ARENS. We display to you now, if you please, a photostatic reproduction of a Communist Party publication entitled "Party Organizer," August 1937, in which articles appear "On Party Building," including "A Section Organizer Reports By J. Figueiredo."

Kindly look at that document, which will now be displayed to you, and tell this committee while you are under oath if that is a true and correct reproduction of an article appearing with your byline in the Party Organizer.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Mr. Chairman and members of the committee, the same answer to this question as to the previous question.

(Document marked "Figueiredo Exhibit No. 3" and retained in committee files.)

Mr. WILLIS. Proceed.

Mr. ARENS. Now, sir, when did you leave the Massachusetts area to come to these parts?

(The witness conferred with his counsel.)

Mr. WILLIS. I order and direct you to answer that question.

Mr. FIGUEIREDO. Somewhere around 1951-52.

Mr. ARENS. Were you in 1949, prior to leaving the State of Massachusetts, an underground colonizer for the Communist Party?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. The same answer as to the previous questions.

Mr. ARENS. Do you know a man by the name of Herbert Philbrick, or have you ever known a man by the name of Herbert Philbrick?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. The same answer as to the previous question.

Mr. ARENS. Mr. Philbrick testified before this committee. He, of course, was an undercover agent of the FBI serving in the conspiracy. In the Smith Act trials, he made his identification known and testified against the traitors there. He subsequently testified before our committee.

In the course of his testimony he swore that, while he was serving in the conspiracy at the behest of his Government, he knew you as one of the organizers, or in charge of colonizing, in certain sections in Massachusetts on behalf of the Communist Party. That is a pretty serious bit of information.

We would like to give you now, while you are under oath, an opportunity to deny the validity and truth of that assertion.

Do you care to avail yourself of that opportunity while you are under oath?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Mr. Chairman, I understand I was called here to answer questions and not about what other people had to say.

Mr. ARENS. Was the information which Mr. Philbrick gave to this committee, to your certain knowledge, sir, true and correct? That is, the information respecting yourself?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Let's see the transcript of what he said.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question.

Mr. WILLIS. I order and direct you to answer the question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Mr. Chairman, I just don't see the point in the committee asking me to comment on what other people have to say; I am definitely of the belief that this is, again, a violation of the first amendment, in that it attempts to inquire and penetrate into my beliefs and associations; and, furthermore, under the fifth amendment, it is an attempt to compel me to testify against myself.

Mr. WILLIS. Proceed, Mr. Arens.

Mr. ARENS. Do you recall where you were in December of 1959?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Maybe if you can ask a specific question—

Mr. ARENS. I will be a little more specific, yes, to try to be helpful to you.

Were you in New York City in December of 1959, do you recall?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. I don't believe it is the prerogative of this committee to inquire where I was, where I am, or where I am going to be.

Mr. ARENS. I will ask the next question. The next question is—I will hold that just a moment. I will withdraw that, please.

Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to whether or not in December of 1959 he was in New York City.

(The witness conferred with his counsel.)

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. The same answer as to the previous questions.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that in December of 1959 you were a delegate from

the Communist Party of Northern California to the Seventeenth National Convention of the CPUSA.

Mr. FIGUEIREDO. Is that your statement or was it a question?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. He might have misunderstood.

Mr. ARENS. Were you in December 1959 a delegate from the Communist Party of Northern California to the 17th National Convention of the CPUSA in New York City?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. The same answer to the previous questions, Mr. Chairman.

Mr. ARENS. Have you been testifying up in Sacramento on behalf of certain groups and organizations on legislative matters?

(The witness conferred with his counsel.)

Mr. WILLIS. I now order you to answer the question.

Mr. ANDERSEN. We are not through conferring yet.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. Will you repeat the question?

Mr. ARENS. I respectfully suggest the witness now be ordered and directed to answer the question.

Mr. WILLIS. You are ordered to answer the question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. I have forgotten the question.

Mr. WILLIS. Proceed with the next question.

Mr. ARENS. When you were lobbying in Sacramento, testifying before legislative committees there, did you make it clear that you were then a member of that conspiratorial force known as the Communist Party or did you hide that from the elected representatives of the people of this state who were considering legislation which you had an interest in?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. It seems that that question is not only twofold, but triple.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer that question.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. ARENS. Let the record show that he is now, for the second time, in consultation with his counsel in response to a question.

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. I don't understand the question.

Mr. WILLIS. Proceed to the next question.

Mr. ARENS. Are you now, sir, this instant, a member of the Communist Party?

Mr. FIGUEIREDO. Let me answer the question that I don't understand it, and that I avail myself of the first amendment, in reference to my beliefs and associations, and to the fifth amendment, if this attempts to compel me to give testimony against myself. This applies also to the two previous questions.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. FIGUEIREDO. The same answer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Archie Brown.

Mr. ANDERSEN. May I address the Chair with respect to Mr. Brown?

Mr. WILLIS. Are you his counsel?

Mr. ANDERSEN. Yes.

Mr. WILLIS. With reference to his presence or absence?

Mr. ANDERSEN. If you recall, he was ejected from the meeting yesterday morning and he was ordered to return at, I think, 1:30 yesterday afternoon. He was subpoenaed to be here on that day. He returned yesterday afternoon at 1:30, pursuant to the order of the chairman and the subpoena, and he was not called yesterday afternoon as a witness, and there is a serious question as to whether his subpoena is *functus officio*.

He is not here at the moment, however; in other words, you ordered him to be here yesterday and he appeared. Having called him, I assume that he assumes that you did not choose to call him, and that the subpoena is now dead. You had ample opportunity yesterday to advise him to return and you, of course, didn't do it.

Mr. WILLIS. I believe it is a continuing subpoena.

Mr. ARENS. Of course, Counsel, the subpoenas require, as you know, that the witnesses are not to depart from the presence of the committee without leave of the committee. That is on the face of the subpoena.

May I now inquire of you: Do you know whether or not your client, Mr. Archie Brown, is available at this time to testify?

Mr. ANDERSEN. He not only departed with the consent of the committee, he was forcibly ejected by the committee, which I assume is with the consent of the committee.

Mr. ARENS. Do you know whether or not your client, Mr. Brown, is available now to testify at this time before this committee?

Mr. ANDERSEN. I don't believe he was allowed in this morning, either. Mr. Wheeler advised me earlier this morning that he only permitted people to come into this room whom he wished to come in.

Mr. ARENS. If you want to proceed on a professional basis, tell us whether or not he is available.

Mr. ANDERSEN. I assume he is home. He had an accident, as you probably know. I assume he is home. You served him originally at his doctors' office. He had an accident and he is not a well man. I assume he is home.

Mr. ARENS. We noticed yesterday he seemed to be under no physical impediment in his gyrations here.

Mr. ANDERSEN. Yes; at the hands of three or four policemen he was; I agree with that.

Mr. WILLIS. Let me ask you this question, and certainly we are going to operate properly, I assure you.

You say he is not here physically today?

Mr. ANDERSEN. I don't believe he is. He was here earlier this morning. I talked to him earlier this morning. I saw him out in the hall earlier this morning, and I told him I didn't believe the committee wanted him to return because they hadn't called him yesterday or directed him to return.

Mr. ARENS. Will you make it clear to him, Counsel, that we do want him to return, we do want to interrogate him under oath? Will you do that for us, please?

Mr. ANDERSEN. I will be very happy to do that.

Mr. WILLIS. Can you fix a reasonable schedule, Mr. Counsel?

Mr. ARENS. Some time this afternoon.

Mr. WILLIS. Well, of course, we can't fix any closer time than that. We plan, and we will see if it fits the schedule, we plan to adjourn shortly, at 12:00, I suppose, and to return here about 1:15. We probably will be in session rather late today.

Mr. ARENS. Late this afternoon would be all right, Mr. Chairman.

Mr. WILLIS. Can you see to it that he is here, let's say, at 2 o'clock, if that will accommodate him?

Are we going to hear another witness first?

Mr. ARENS. We will hear a witness who will testify extensively, Mr. Chairman.

Mr. WILLIS. Can he be here at 2 o'clock and for the balance of the session today?

Mr. ANDERSEN. You don't give me much time. I am here representing several other witnesses so, of course, I may not leave the room.

Mr. WILLIS. Well, you have until 2 o'clock, 2 hours.

Mr. ANDERSEN. I may represent the next witness that is called. I don't know.

Mr. WILLIS. We will have the luncheon recess. That will give you an hour.

Mr. ANDERSEN. I suggest you make it 2 o'clock.

Mr. WILLIS. No; we can't have that.

Mr. ANDERSEN. I will do my best to communicate with him.

Mr. WILLIS. You understand that this accommodation of ideas or trying to reach agreement is without prejudice to the validity of the subpoena as a continuing one.

Mr. ANDERSEN. I understand we are at complete arms' length.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Noel Harris.

Kindly come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRIS. I do.

#### TESTIMONY OF NOEL HARRIS, ACCOMPANIED BY COUNSEL, ALBERT M. BENDICH

Mr. ARENS. Kindly identify yourself, sir, by name, residence, and occupation.

Mr. HARRIS. My name is Noel Harris. I live at 3327 Pine Street, Eureka. I fail to see where my occupation is any concern of this committee.

Mr. ARENS. Kindly answer what is your occupation.

(The witness conferred with his counsel.)

Mr. HARRIS. Woodworker.

Mr. ARENS. Do you have any other occupation?

(The witness conferred with his counsel.)

Mr. HARRIS. None. None other.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. HARRIS. Yes. My subpoena was served on the job where I work.

Mr. ARENS. And you are represented by counsel?

Mr. HARRIS. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BENDICH. Albert M. Bendich, staff counsel, American Civil Liberties Union of Northern California.

Mr. WILLIS. I think it would be more convenient for all, including counsel, if you will put the microphone next to you, Mr. Witness.

Mr. ARENS. Where and when were you born?

(The witness conferred with his counsel.)

Mr. HARRIS. I was born at Fort Bragg, Calif., December 6, 1918.

Mr. ARENS. And kindly give us a word about your formal education.

(The witness conferred with his counsel.)

Mr. HARRIS. I have gone through public schools, elementary school, high school and college in the State of California.

Mr. ARENS. Would you kindly repeat what you just said? I am afraid it isn't clear.

Mr. HARRIS. I said I attended elementary school, high school and college in the State of California.

Mr. ARENS. And did you receive a college degree?

(The witness conferred with his counsel.)

Mr. HARRIS. Yes; I received an AB in social science, majoring in history, during the course of which I learned a little bit about inquisitions and their use of stool pigeons and perjurers and other methods.

Mr. ARENS. Tell us, please, sir, when did you receive your degree?

(The witness conferred with his counsel.)

Mr. HARRIS. 1949.

Mr. ARENS. Did that complete your formal education?

(The witness conferred with his counsel.)

Mr. HARRIS. I had 1 additional year in college.

Mr. ARENS. And did you receive a degree as a result of that additional year?

Mr. HARRIS. No, sir.

Mr. ARENS. A master's degree?

Mr. HARRIS. No, sir.

Mr. ARENS. Have you received any specialized training since you completed your formal education?

(The witness conferred with his counsel.)

Mr. HARRIS. I would like to have the question clarified. To me it is ambiguous.

Mr. ARENS. Do you have in mind any specialized training which you have received since you completed your formal education?

(The witness conferred with his counsel.)

Mr. HARRIS. Do you mean in a formal educational sense?

Mr. ARENS. No; not necessarily. Any specialized training you have received since you completed your formal education.

(The witness conferred with his counsel.)

Mr. HARRIS. None to my mind at the moment.

Mr. ARENS. Have you received any special training by any organization after you completed your formal education?

(The witness conferred with his counsel.)

Mr. HARRIS. I don't quite understand the question.

Mr. ARENS. I will drop the line of inquiry.

What has been your principal occupation since you completed your formal education?

Mr. HARRIS. Woodworker.

Mr. ARENS. Have you received any training in organizing techniques by any organization?

(The witness conferred with his counsel.)

Mr. HARRIS. Would you please clarify the question?

Mr. ARENS. Are you now the organizer for the Communist Party of Humboldt County, California?

(The witness conferred with his counsel.)

Mr. HARRIS. On the basis of the first amendment, the fourth amendment, and the fifth amendment of the Bill of Rights of the U.S. Constitution, I respectfully decline to answer that question.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully, while you are under oath, whether or not you are presently the organizer in charge of organizing for the Communist Party of Humboldt County, California, you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. HARRIS. I would like to stand on the same grounds that I have previously given.

Mr. ARENS. You said they taught you at school what a stool pigeon was, they taught you what witch hunts were and the like. Did they also teach you about colonizing? Do you know what a colonizer is?

(The witness conferred with his counsel.)

Mr. HARRIS. I refuse on the same grounds previously given.

Mr. ARENS. Have you in the recent past been in charge of certain activities of the Communist conspiracy, which the party characterizes within party ranks as colonization?

(The witness conferred with his counsel.)

Mr. HARRIS. I respectfully decline on the grounds previously given.

Mr. WILLIS. Would you in a few sentences explain what colonizing is?

Mr. ARENS. Yes. Colonizing, Mr. Chairman, is a technique used by the conspiracy in which they take persons who often are highly educated, persons who have an appearance that will get them into any strata of society, and they have them develop within certain groups or organizations, cells of the conspiracy.

Frequently these people obliterate their own identification, their own background. Frequently they will take menial jobs. It is one of the present techniques of the conspiracy.

Sir, I put it to you as a fact, and ask you to affirm or deny the fact, that you are presently the organizer of the Communist Party of Humboldt County, California.

Mr. WILLIS. I think you have asked him that question.

(The witness conferred with his counsel.)

Mr. ARENS. I asked it of him, but the record does not reflect that we have the answer to the present question, Mr. Chairman.

(The witness conferred with his counsel.)

Mr. HARRIS. I respectfully decline on the grounds previously given.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mrs. Ann Deirup.

Kindly come forward and remain standing while the chairman administers an oath.

Mr. EDISES. Mr. Chairman, the witness is unwilling——

Mr. WILLIS. Come forward, please.

Mr. EDISES. The witness is unwilling to sit in the view of these glaring lights, and we ask that the lights be turned off.

Mr. WILLIS. We will accommodate you.

Mr. EDISES. Please do so.

Mr. WILLIS. I suppose you mean to imply that it interferes with her composure, and so on, as the real reason for it.

Mr. EDISES. Yes; that is true. She has an eye difficulty, also, and it is also discomposing.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DEIRUP. I do.

#### TESTIMONY OF ANN DEIRUP, ACCOMPANIED BY COUNSEL, BERTRAM EDISES

Mr. ARENS. Kindly identify yourself, ma'am, by name, residence, and occupation.

Mrs. DEIRUP. My name is Ann Deirup. I live at 1629 Josephine Street, Berkeley, California. I am a draftsman.

Mr. WILLIS. A draftsman, did you say?

Mrs. DEIRUP. A draftsman.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. DEIRUP. It is Mrs.

Mr. ARENS. You are appearing today, Mrs. Deirup, in response to a subpoena which was served upon you by this committee?

Mrs. DEIRUP. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mrs. DEIRUP. I have a counsel sitting beside me, but I would like to state that I don't feel that——

Mr. ARENS. Keep your voice up, please.

Mrs. DEIRUP. Yes. I said yes, I have counsel sitting beside me, but I do not feel that I am really adequately represented because he is not allowed to speak for me. I am, by trade, a draftsman——

Mr. ARENS. You are reading from a prepared statement now?

Mrs. DEIRUP. Yes.

Mr. ARENS. Proceed, if you please.

Mrs. DEIRUP. I can express many things on paper in graphic form, but I don't understand all this legal bit, and I don't feel able to answer

all the doubletalk questions. But I would like to make my position clear.

I consider the members of this committee to be——

Mr. WILLIS. You have not been asked a question, Madam. Would you be able to deny on constitutional grounds that——

Mrs. DEIRUP. I would like——

Mr. WILLIS. Counsel, ask a question.

Mr. ARENS. Let us get you identified and your counsel identified on the record, and then you can go ahead on your dissertation.

Mrs. DEIRUP. I do want to say that I don't feel I am adequately represented. He is an excellent lawyer, or obviously I wouldn't have selected him.

Mr. ARENS. Counsel, identify yourself on this record.

Mr. EDISES. Bertram Edises, an attorney from Oakland, California.

Mr. ARENS. We are going to try to avoid anything that could be construed by a reasonable person as doubletalk which you are upset about.

Would you tell this committee plainly, openly, frankly, candidly, were you, beginning in 1943, a member of the Young Communist League? The Young Communist League? That is clear.

Mrs. DEIRUP. I heard you.

Mr. ARENS. Now, kindly respond to the question.

Mrs. DEIRUP. I consider the members of this committee to be dedicated people and I would very much like to cooperate with this committee, but after yesterday's performance, I am even more convinced of your dedicated principles. You are dedicated to the destruction of freedom of thought, freedom of the speech and assembly, and of association.

You are dedicated to the preservation of white supremacy and to segregations and lynchings, and you are also dedicated to public hearings by private invitations.

I, too, am a dedicated and principled individual dedicated to the preservation of democracy, freedom of thought, association and equality and dignity for all our people. I am dedicated to the promotion of better education for all of our people, and for peace.

I am flattered that my small efforts in these directions should receive the committee's recognition. This committee and all its noble pursuits will attempt to harass and vilify me and, thereby, the ideals and issues that I have championed.

In my attempt to preserve and protect these cherished ideals, I am very proud to be able to invoke one or several of the points of our Bill of Rights, and I have three ancestors that fought in the American Revolution, and one of them lost a leg at the Battle of Lexington.

They very carefully prepared the Bill of Rights and put it in our Constitution that we may enjoy life, liberty, and the pursuit of happiness as we know it. This committee states that its purpose is to gather information in order to prepare legislation. As most of the questions relate—as most of the questions asked of the witnesses relate to private beliefs, I question the validity of the whole committee under the Bill of Rights, which states that Congress shall make no laws abridging the freedom of thought, speech, assembly, and association.

Mr. ARENS. Are you a dedicated member of the Communist Party?  
(The witness conferred with her counsel.)

Mrs. DEIRUP. I think I made my position amply clear. I referred to the Bill of Rights. I don't remember all of the things in the Bill of Rights, but I do remember very clearly that the 13 colonies saw to it that they kept in the Constitution what they brought from England, what my ancestors brought from England, and that is that you have no right to compel me to testify against myself.

Mr. ARENS. Does that complete your answer?

Mr. WILLIS. Proceed.

Mrs. DEIRUP. Yes; it does.

Mr. ARENS. I will not ask the lady when she was born, but—where were you born? Where were you born, please?

Mr. DEIRUP. Yes; I was born in Palo Alto, at the Palo Alto-Stanford Hospital. Do you want the date?

Mr. ARENS. No, we wouldn't—

Mrs. DEIRUP. I will be glad to give it to you.

Mr. ARENS. Come ahead with it.

Mrs. DEIRUP. I am not a bit shy. I was born on August 22, 1918, and I have three children and they are in the audience.

Mr. ARENS. Now, ma'am, give us just a word about your formal education, please.

Mrs. DEIRUP. I would be glad to, but I would like to know what the relevance is or pertinency or pertinence—

Mr. ARENS. I want to ask you whether or not your attendance and membership in the Young Communist League coincided in point of time with any institutional activity in which you may have been engaged. Would you kindly answer the question and give us a word about your formal education?

Mrs. DEIRUP. May I talk to my counsel? This is where I really lose this bit.

Mr. WILLIS. Ask the question directly.

Mr. ARENS. I asked her to please tell us a word about her formal education.

(The witness conferred with her counsel.)

Mrs. DEIRUP. I think I have already indicated my position very clearly. I don't think this committee has any right to make inquiry into by beliefs, and many of my beliefs have come through my schooling, to be sure.

If the purpose of the committee, of course, is to prepare legislation, and it relates to people's beliefs, then I think the committee is out of order.

Mr. WILLIS. Proceed.

Mr. ARENS. Mr. Chairman, I respectfully suggest the record reflect, then, an order and direction for this lady to please tell us about her formal education.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with her counsel.)

Mrs. DEIRUP. In view of the purpose that I have indicated that I think the committee is on, legislation and so forth, and in view of the position that I have made, I respectfully invoke the same principles that I originally did in terms of freedom of thought, speech, not to speak, and you cannot compel me to bear witness against myself.

Mr. WILLIS. In other words, you invoke the privileges of the first and fifth amendments?

(The witness conferred with her counsel.)

Mrs. DEIRUP. Yes; I am invoking all of the provisions, and I would like to add I didn't have this in my notes before I came because I didn't realize that our Congressman here was seated illegally in Congress, so I would like to add to it the fourteenth amendment.

Mr. ARENS. Now, would you kindly tell us if you joined the Young Communist League while you were a student at the University of California?

Mrs. DEIRUP. I think I have made my position clear on all these questions.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. DEIRUP. My answer is the same as before. It is the same as the last one.

Mr. ARENS. Do you have present, current information, ma'am, which you can supply to this committee respecting the identifications and activities in northern California of persons who, to your certain knowledge, are now, or in the recent past have been, members of the Communist Party?

(The witness conferred with her counsel.)

Mrs. DEIRUP. If I was so fortunate as to have all this valuable information, I wouldn't give it to you anyway.

Mr. ARENS. You are on the County Committee, so we understand, of the Communist Party, and we thought perhaps you might have some information that could be of service to this committee.

(The witness conferred with her counsel.)

Mrs. DEIRUP. If you have all these answers from such reliable and unimpeachable sources—

Mr. ARENS. Are you on the Alameda County Committee of the Communist Party?

(The witness conferred with her counsel.)

Mrs. DEIRUP. I was attempting to answer the question.

Mr. ARENS. I will withdraw the next to last question, and have the last question be the principal outstanding question, namely, are you on the County Committee of Alameda County of the Communist Party?

Mrs. DEIRUP. If I have done anything illegal, I think you should take me into court where I can have adequate counsel.

Mr. ARENS. Now, would you kindly respond to the question? Does that complete your answer?

(The witness conferred with her counsel.)

Mrs. DEIRUP. My answer is the same. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until 1:15.

(Whereupon, at 11:55 a.m., Friday, May 13, 1960, the subcommittee recessed, to reconvene at 1:15 p.m. the same day.)

(Members of the subcommittee present at the time of recess: Representatives Willis and Johansen.)

## AFTERNOON SESSION—FRIDAY, MAY 13, 1960

(The subcommittee reconvened at 1:40 p.m., Hon. Edwin E. Willis (chairman of the subcommittee) presiding.)

Mr. WILLIS. The subcommittee will please come to order.

(Members of the subcommittee present at time of reconvening: Representatives Willis and Johansen.)

Mr. WILLIS. Again I want to say that we appreciate the cooperation of people within the hearing room. We are glad to have you. We will not have disturbances here. We will just go about our business and I know that everything will work out all right.

Mr. ARENS, call your next witness.

Mr. ARENS. Mr. Karl Prussion, kindly come forward to the witness table and remain standing while the chairman administers an oath, if you please, sir.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PRUSSION. I so do.

## TESTIMONY OF KARL PRUSSION

Mr. ARENS. I want to be certain that you are situated in proper relationship to the microphone, Mr. Prussion.

Kindly identify yourself by name, residence, and occupation.

Mr. PRUSSION. My name is Karl Prussion. I reside in Los Altos, California. My address is Box 396, Los Altos. I am a metallurgical engineer by profession and a builder by choice.

Mr. ARENS. Mr. Prussion, I expect in the course of this interrogation to cover a number of areas with you. At the outset I should like to ask you first of all, have you ever been a member of the Communist Party?

Mr. PRUSSION. I have been a member of the Communist Party for approximately 26 years.

Mr. ARENS. When did you join the Communist Party and when did you finally, irrevocably, disassociate yourself from the Communist Party?

Mr. PRUSSION. I joined the Communist Party in 1933, and I irrevocably disassociated myself from the Communist Party on August 12, 1959.

Mr. ARENS. Where did you join the Communist Party?

Mr. PRUSSION. I joined the Communist Party in Detroit, Michigan.

Mr. ARENS. And over what period of time did you serve in the Communist Party in Detroit, Michigan?

Mr. PRUSSION. I served in the Communist Party in Detroit, Michigan, from 1933 until 1940, then I went to New Mexico for 2 years.

Mr. ARENS. Did you, during all or part of your membership in the Communist Party, have a membership in which you were a dedicated Communist, ideologically in complete accord with the party?

Mr. PRUSSION. Yes.

Mr. ARENS. Over what period of your service in the Communist Party were you in that status?

Mr. PRUSSION. From 1933 through 1938.

Mr. ARENS. And then tell us just in capsule form so we have the broad perspective of your service, what happened at that time?

Mr. PRUSSION. Do you mean in 1938?

Mr. ARENS. In 1938, so far as your membership in the party was concerned.

Mr. PRUSSION. Well, in 1938, because of a whole series of events that happened within the Communist Party, I became thoroughly disillusioned with the machinations of the Communist Party and did not break with the party nor did I get expelled from the Communist Party, but became a reluctant Communist trying to get out from that time until I finally convinced the Federal Bureau of Investigation of my sincerity in my efforts to help our Government in the fight against the Communist menace.

Mr. ARENS. Did you shortly thereafter become reaffiliated with the Communist Party at the behest and with the cooperation of the Federal Bureau of Investigation?

Mr. PRUSSION. Yes; I so did.

Mr. ARENS. And when did you then reaffiliate yourself with the Communist Party? Just approximately. That is, as an FBI undercover agent.

Mr. PRUSSION. As an FBI undercover agent it was the latter part of 1947 in the city of Carmel, California.

Mr. ARENS. Then did you continuously serve in the Communist Party in various posts, in various activities, which we will explore later on, at the behest of the Federal Bureau of Investigation?

Mr. PRUSSION. That is correct, sir.

Mr. ARENS. And you continued in that capacity until you were, what we call, surfaced in this last year; is that correct?

Mr. PRUSSION. That is correct.

Mr. ARENS. Mr. Prussion, without giving us details of your activity, tell us the various posts or assignments which you held in the Communist Party.

Mr. PRUSSION. Well, at the outset I was a section organizer of the West Side Section of the Communist Party in Detroit. I was the organizer for the Communist Party at the Ford Motor Car Co. I was a member of the District Committee, the District Industrial Commission of the Communist Party in Detroit.

In this area, California, where I came in late 1942, I was a sort of member-at-large with party contacts, visits, etc., but no formal local membership. Then I was in various cells and I was also a member of the Trade Union Commission of the Communist Party in Santa Clara County.

Mr. ARENS. Now, Mr. Prussion, as a point of departure in our interrogation of you today, may I ask you this first fundamental question:

Based upon your background and extensive experience in the Communist Party, first as a dedicated Communist and thereafter as a person in the conspiratorial activities of the party at the behest of the Federal Bureau of Investigation serving your Government, tell this Committee on Un-American Activities how serious is the Communist operation now on American soil?

Mr. PRUSSION. It is my sincere and honest opinion that never before in the history of the Communist Party of the United States has the situation been more critical for our democratic form of government.

The Communist Party in the United States today is more influential in economic, political, and social circles than ever in its history. In brief, the situation is indeed critical in view of the international situation, with the recent visit of Khrushchev to our shores, and the complications that are rapidly developing throughout the world.

I believe that the Communist Party is a conspiracy and that the party is definitely a menace to the well-being of our American way of life.

Mr. ARENS. Is the Communist Party a political party?

Mr. PRUSSON. The Communist Party isn't, never has been, and never will be, a political party.

Mr. ARENS. What is the Communist Party?

Mr. PRUSSON. The Communist Party is a conspiracy through which they intend ultimately, after they have achieved the prerequisites of the revolution, to overthrow our free enterprise system and establish a dictatorship of the proletariat by force and violence.

Mr. ARENS. Is the Communist Party an operation of the international Communist conspiracy on American soil?

Mr. PRUSSON. It so is.

Mr. ARENS. Are there Communists who are not technical members of the Communist Party?

Mr. PRUSSON. I would like to enlarge on that, if you don't mind, sir.

Mr. ARENS. If you please, sir.

Mr. PRUSSON. The Communist Party has a varied type of membership. They have one type of member who attends cell meetings, pays his dues. They have another type of Communist, because he doesn't want to identify himself with the cell for fear of exposure by an informant such as myself, who has a courier pay his dues.

Then there are many, many Communists who have dropped out of the Communist Party, conveniently, so that they can hide their identity and in that way are better able to carry out the revolutionary work.

There is a fourth type of Communist who is never associated with a cell, but he is a Leninist, and so imbued with the forthcoming revolution that he works diligently wherever possible and keeps contact with Communist leaders on the higher level.

This type of a Communist is usually a doctor, a lawyer, a political official and in the professional field of life.

Mr. ARENS. Mr. Prussion, in the course of the last day or so here we have had a number of people who have been identified to us by responsible people as members of the conspiracy, who have sat in that very chair in which you are now sitting and castigated this committee, saying, in effect, that our objectives are to deprive people of employment, smear people, and the like, although this committee tries as sincerely as we possibly can to proceed on the basis of fairness and impartiality.

Can you tell this committee, based upon your background and experience in the party, what has happened to you at the hands of the party since you surfaced and made known to the world that you were an undercover agent of the FBI, serving in the Communist conspiracy at the behest of your Government?

Mr. PRUSSON. The Communist Party, in the area in which I live and district-wise, has carried out a vicious campaign of vilification by spreading rumors as to my personality and character, in this manner trying to get the general citizenry of the area to disassociate them-

selves with myself, in hopes that I would become disgusted and pick up and leave the area, and not carry on the fight against the Communist Party in the vicinity in which I live.

Mr. ARENS. Have pressures been brought to bear to try to preclude you from employment since you made it known to the world that you were serving as an undercover agent of the Federal Bureau of Investigation, trying to get information for your Government?

Mr. PRUSSION. That is definitely true. Because of the nature of the rumors spread about myself—

Mr. ARENS. Is your family presently fearful—I know you told me last evening of certain incidents I will not ask you to repeat—in general, is your family, your wife and children, are they presently fearful of recriminations by the party against you because you served your Government in this conspiracy?

Mr. PRUSSION. Yes; they are.

Mr. ARENS. One other preliminary question before we begin to trace your activities in the party and reveal on this record information respecting its present activities here in this area.

Tell us a word about Communist Party discipline.

Mr. PRUSSION. When a person first joins the Communist Party and he reads their literature, their pamphlets, attends meetings, listens to lectures, and goes to their specialized and general schools, and when he begins to participate in violent activities and peaceful activities in the interest of the forthcoming revolution, he finds himself very shortly in the grip of Communist discipline from which it is difficult to dislodge oneself.

Mr. ARENS. Give us a word as to the nature of that discipline, please, sir.

Mr. PRUSSION. Within the Communist Party there is total disregard for law. Within the Communist Party there are rigged trials, forced confessions, provocations of suicides of Communists who have deviated, reprisals against Communists who might deviate on party strategy.

All of these things are part and parcel of the essence of law within the Communist Party.

Mr. ARENS. To what extent does the Communist Party in its discipline over the comrades, control their personal lives, their marital lives, their family lives?

Mr. PRUSSION. The Communist Party controls a member of the Communist Party throughout his life, and right through death they have complete control of a Communist Party member.

A Communist Party member—and this is almost hard to believe, but it is unfortunately very true—finds himself always believing to be true the line of the Communist International. If on one day the Communist International orders one tactic, he will carry it out and believe in it. If the very next day the Communist International orders another tactic, he will turn a somersault and actually believe it to be the truth and carry it out to the best of his ability.

This inner obedience to communism, to its directives, is a most startling characteristic of a Communist that is very difficult to describe.

Mr. ARENS. Now with these preliminary observations out of the way, or covered here, I should say, Mr. Prussion, I will have a number of specific questions to ask you about Communist techniques and the like.

I should like to have you reverse the chronology for the moment and go back and tell us the circumstances under which you joined the Communist Party. In view of the fact that we are, in this particular hearing today, directing our attention to Communist activities in the northern segment of California, I would request that you do not go into detail about your activities in the Detroit area, but give us a brief word about your activities there, the posts you held and the like, and then, as soon as we have completed that in a preliminary manner, we will plunge into the activities in which you were engaged as an undercover agent here in northern California, and we will ask you about the current situation here in considerable detail.

If you will, kindly proceed at your own pace on your entrance into the party and the activities in Detroit in summary form.

Mr. PRUSSION. I joined the Communist Party in 1933 at the height of the depression while I was a senior at Wayne University. I was at that time living in a sick and uprooted world. There was a tuition raise on the campus, and it seemed as though the Communists came to me with the solution to my social and economic problems, as well as a solution to the problems of the world generally.

I was lionized into the leadership of a student strike against the tuition raise. I was immediately given recognition, respect, understanding, response, and I felt at that time, with very little knowledge of the workings of the Communist Party, that this was the organization for me and I joined.

Mr. ARENS. Now give us just a word of your career in Detroit, if you please, but I suggest, again, not in considerable detail because it is not an area in which we have a principal concern today.

Mr. PRUSSION. Well, immediately after joining the Communist Party I was sent to be a section organizer of the Communist Party in Flint, Michigan, and was given directives to concentrate on the Negro churches in that area.

I was successful in this conspiracy in influencing many of the Negro ministers into violent actions in the city of Flint at that time. I was stricken with peritonitis and came back to the city of Detroit and went to the District Training School of the Communist Party, which was held in Farmington, Michigan.

Mr. ARENS. If I could interrupt you, Mr. Prussion, without discourtesy to yourself, I would like to have you hesitate on the training school, the training that you received, and give us a summary of what they train the comrades in, in these training schools.

Mr. PRUSSION. Well, the training there was heavy on the works of Lenin. We studied thoroughly the "State and Revolution," "Imperialism, The Last Stage of Capitalism," "Left-wing Communism: An Infantile Disorder."

We especially studied trade union tactics and strategy, and in addition to that I was instructed and took courses in insurrection, provocation of violence. This course was taught by a woman by the name of Gertrude Hessler, who was the author of the text on insurrection. We were also put on—

Mr. ARENS. By insurrection, are you including street fighting?

Mr. PRUSSION. Insurrection included street fighting, seizure of police stations, cutting of communications, everything that is required of a Communist when the prerequisites are met, when the final strategy is carried out.

Mr. ARENS. Were you taught infiltration of mass organizations?

Mr. PRUSSION. We were taught infiltration of social, economic, and political organizations—principally at that time economic, which is the trade union movement.

Mr. ARENS. Were you taught the techniques which we observe on this committee frequently, by which one or two comrades can move into a mass organization and take over that organization and direct it and control it? Were you taught those techniques, techniques of mass psychology and the like?

Mr. PRUSSION. There are numerous examples of that. This is the general strategy of the Communist Party for a few to lead many. I will give you an example.

A new plant in the city of Detroit known as DeSoto started operations and the Communist Party concentrated on that plant and had six Communists hired within that plant. During the process of body production, a girl who was cleaning the windows with a solution as the bodies passed by, had a nosebleed. A Communist seized on the opportunity and took some of the solution out with him when he went home from work.

He immediately contacted a chemist who was a member of the Communist Party. The chemist analyzed the solution and it was a mild solution of wood alcohol. Wood alcohol is supposed to be poisonous when inhaled. The Communist Party that very evening put out several hundred circulars in which the management was condemned for the treatment of women in that plant.

The Communists took these circulars into the plant, distributed them, and at a designated hour they shut down the plant and were able to start the initial organizational drive in that plant for the forthcoming CIO union.

That is one little example of how they would utilize certain conditions and enlarge upon it and arouse the indignation of the working people against their so-called oppressors and so on.

Mr. ARENS. What else were you taught in this training school or in the training schools? Were you taught political warfare?

Mr. PRUSSION. Yes, very definitely. We were taught that the Communist Party, for example, does not believe in parliamentary methods as a battleground for the bettering of the working conditions of the working men. They believe that parliamentary methods should only be used to the extent that a parliament can be used ultimately for its own destruction.

Mr. ARENS. Mr. Prussion, if a person were talking to a comrade now, say a trained comrade, like Hyman Lumer, educational director of the Communist Party—and he has been coming through this State, as I understand it, making speeches to college groups—and someone said, “Mr. Lumer, explain to me the policies and programs of the Communist Party.”

I have seen a great abundance of his work. He would be explaining the pie in the sky idea, would he not, that the Communist Party stands for peace, for jobs, for better housing; it stands for uplift in all types of areas.

Were you taught anything in the training school which led you to believe, as a trainee of the Communists, one who was being disciplined in the conspiracy, that the actual objectives, the actual moti-

vation, the actual program of the Communist Party, was not one of humanity, but was one of total enslavement?

Mr. PRUSSION. That is very definitely true. The Communist Party picks no bones about it. If any member of the Communist Party were honest—and they are not—they would tell you that the Communist Party believes in overthrowing the Government by force and violence, after the prerequisites of the revolution have been attained, and the manner in which they attain these prerequisites of the revolution is by the infiltration of social, economic, and political organizations.

In the infiltration of these organizations, it is their job to arouse class hatred, to gain leadership within these organizations, and to accelerate the class struggle and teach the working class hatred of the people who direct our industry and our Government.

Mr. ARENS. These comrades who have been working here with these youngsters, these young people who have been picketing here and causing the commotion, did the comrades make it plain to these youngsters that they are comrades, that they are part of a conspiratorial force and are using these youngsters for their ultimate objectives?

Mr. PRUSSION. No; they do not. I recall, for example, when I went to Wayne University—I am just bringing this out. I think it is a little off the question, but I think it is pertinent.

I recall that a lot of my convictions in joining the Communist Party I received at the university. In the study, for example, of psychology, we were taught human behaviorism and the materialistic conception of psychology. In the study of sociology, similarly, we studied Darwin's theory, and the material was in the manner of an approach to these questions.

Consequently, when the spirit of man and the soul of man and the name of God are never mentioned, never discussed at the universities, a man is readily prepared to accept membership into the Communist Party. This was part of the preparation for my joining the Communist Party.

Mr. ARENS. Mr. Prussion, earlier in these hearings I was interrogating a lady, Mrs. Barbara Hartle, who had been in the conspiracy, but who broke with the conspiracy, and in the course of the interrogation I observed that in finding her way out of the conspiracy back as an anti-Communist, she had found her way back to God, and I heard snickering and loud laughter here by these young people.

Within the framework of the Communist operation, is there room for concepts of God and spiritual values as we are taught them at our mother's knee?

Mr. PRUSSION. The Communist Party lowers man to that of a beast in the field. As far as the Communist is concerned, man is material and not spiritual; he has no soul, no spirit, and there is no God. This is elementary and fundamental to every Communist.

One cannot live a peaceable life under communism and believe in God at the same time. Belief in God tears to shreds the entire Communist conspiracy.

Mr. ARENS. Would you tell us whether or not, in the process by which you disassociated yourself from the conspiracy, you were able to find any strength and any spiritual faith and a reemphasis in your own life in concepts of a divine being?

Mr. PRUSSION. It was during the very early part of my activities in the Communist Party when I participated in provocation and violence, when I was partly responsible for the death of many people in riots, I at that time asked God many times for forgiveness and was trying to find a way out of the Communist Party.

I had the extreme fortune of meeting in the city of Flint a man by the name of Dr. Longman of the Christian Church, and was very much influenced by his teachings. At a later date, in 1940-42 when I was in Albuquerque, I was fortunate in meeting a Catholic priest by the name of Father Dumerai and there I found the real solution to the problems of the world, belief in God, and God's guidance.

I learned to believe that God is truth, that man is created in his image and likeness and, therefore, man must reflect the truth of God.

I had a further association with a Dr. Bailey of the Baptist Church. He became a very dear friend of mine. This was all during the period when I was in the Communist Party. Through these associations and through a study of the Bible, and participating in church activities, I regained my faith in God, and I am very happy for that, because I am able to sit here, I believe, because of that, and testify before this committee.

Mr. ARENS. Now, give us just a word of the career that you had in Detroit in the party after you completed your basic training as a hard-core Communist before we get into your activities in this area, in summary form, please, sir.

Mr. PRUSSION. The Communist Party trained me in trade union activity, and I worked in such plants as Briggs, DeSoto, Packard, Plymouth, Jenks-Muir Spring Plant, General Motors Trucks, and in every instance was sent into these plants by the Communist Party for the purpose of building the party in those plants and arousing class hatred, strikes, dissension, in the effort to build what they called a strong militant union, in preparation for the forthcoming revolution.

I can relate many stories about the activities in the CIO.

Mr. ARENS. May I interrupt you to say, Mr. Prussion, you have been in executive sessions with this committee respecting the Detroit situation, and we have that on record. We are not, in this particular series of hearings here in San Francisco, primarily interested in developing factual material on the public record on the Detroit situation. We will go into that some other time.

Is there any other significant fact which you would like to recount respecting Detroit before we commence on your career in the party here in California?

Mr. PRUSSION. Well, there is one significant fact, and I think it is important that we make this clear.

During the formative stages of the CIO in the city of Detroit, the leader of the movement to organize the CIO through the Communist Party, who had the mass base in the plants, was not, as anybody would think, Earl Browder or Jack Stachel, or Mr. William Weinstone. It happened to be a man by the name of Bill Gebert.

Bill Gebert represented the Communist International in the city of Detroit during the formative stage, the development of and the conclusion of the activities to build the CIO in the area.

Mr. ARENS. Isn't he in Poland now?

Mr. PRUSSION. Bill Gebert today is the head of the Trade Union Commission of the Communist Party in Poland.

Mr. ARENS. Was your entire tenure in the Communist Party in California at the behest of the Federal Bureau of Investigation?

Mr. PRUSSION. My formal tenure in cells, yes; but there was a short period, I would say the last five months of membership in the Communist Party, where I had notified the FBI that I had planned to make the break and it was during that period in which I had contacted the FBI consistently, but I was not formally working with them.

Mr. ARENS. I will put it in a different way. When you started with the Communist operation in California, after you had moved from Detroit, did you do so at the behest and in cooperation with the FBI?

Mr. PRUSSION. Yes; I did that, with the cooperation of the FBI.

Mr. ARENS. And you were not then ideologically identified with the party. You were serving your Government; is that correct?

Mr. PRUSSION. That is correct.

Mr. WILLIS. When was that? In other words, when did you start really working for the FBI?

Mr. PRUSSION. The latter part of 1947.

Mr. ARENS. I want to clear the record on one item.

We are constantly confronted by the comrades with the epithets, which we get used to—in which they say that we have stool pigeons who are paid informers, that the FBI and we pay fabulous sums to people to squeal on other people, and the like.

Just in passing, could you tell us, you who have served as an FBI undercover agent in the Communist conspiracy in California from 1947 until a few months ago, tell us, without giving an amount, were you paid a salary, were you paid expenses?

Mr. PRUSSION. For about four years I was paid nothing, and at all times since then the amount I was paid ranged from \$10 to possibly \$125 a month, which was way below the actual expenses that I had while serving our Government against this conspiracy.

Mr. ARENS. Does the amount which you have been paid, which is obviously nominal, for your service in the conspiracy on a monetary basis anywhere near compensate you for the financial losses to which you have been subjected since you came out of the Communist Party as a result of the smear attacks against you by the party?

Mr. PRUSSION. Well, it doesn't begin to even approach the losses that I have taken.

Mr. ARENS. Let us commence with your first affiliation here in California in 1947 at the behest of the Federal Bureau of Investigation, and bring up right on down to date, listing the cells to which you were attached, the activities in which you were engaged, and, of equal importance, the persons who, to your certain knowledge—we want no speculation—persons who, to your certain knowledge, were part and parcel members of the Communist Party. Do you understand?

Mr. PRUSSION. Yes, sir; I do.

Mr. ARENS. So that this record can be clear, may I ask you a preliminary question?

When you testify that you know to a certainty that John Jones is a member of the Communist Party, your knowledge will not come from an observation of a membership book, will it, for they do not have membership books?

Mr. PRUSSION. No, sir.

Mr. ARENS. It will come from your certain experience with that person in a closed party cell; is that correct?

Mr. PRUSSION. That is correct, sir.

Mr. ARENS. That is, a cell or unit, to which you as a comrade, knew only hard-core members of the party were admitted; isn't that correct?

Mr. PRUSSION. That is correct, sir.

Mr. ARENS. Just so the record is still clear, tell us what is a cell meeting and what is a closed party meeting.

Mr. PRUSSION. Well, in order to describe a cell meeting, we have to go into the description of the organizational apparatus of the Communist Party so we can come down to the cell or unit or group or whatever they are calling it now.

Mr. ARENS. Give us a word of that on the record, please, of the structural organization.

Mr. PRUSSION. Well, the structural organization consists first of the Communist International. Then there is the National Committee of the Communist Party, which is responsible to the Communist International.

Then there are the district committees of the Communist Party. In California we have two districts, the Northern District and the Southern District, and the district is divided into sections.

The section, for example, in which I worked a good part of the time in California consisted of Santa Cruz, Santa Clara, San Mateo Counties. The sections are divided into cells or units, whatever the situation and condition may require as to the number of cells and units in those sections.

A cell consists of party members. They attend regularly, usually once a month. Very often cell meetings are called under certain stress conditions to take up vital problems during a certain period.

A cell usually has a secretary-treasurer, the educational director, a coordinator of the activities of all the members of the cell.

Would you care for me to describe a cell meeting for you at this time?

Mr. ARENS. The thing I want to be certain of is that this record reflects facts which make it clear to anyone of honest intentions that our objective here is to get the cold, hard facts from one who is under oath and who can describe procedures which cause you, as an honest individual, to know that the identifications which you will be shortly revealing are of persons who, to your certain knowledge, are not suspected because of political belief or political association or any other association, but known to a certainty by you to be hard-core conspirators.

Mr. PRUSSION. That is correct. I think I have given you a description of the organizational apparatus of the Communist Party and I have described the cell.

Mr. ARENS. Are non-Communists admitted into a cell meeting?

Mr. PRUSSION. Never.

Mr. ARENS. Does the party have a system, whereby people in one cell or in one segment, one fraction of the operation are precluded from knowing the members in another unit?

Mr. PRUSSION. It is very rare that the members of one cell will know the members of another cell. The only chance they have of knowing the members of another cell is if a delegate from a cell goes

to a section meeting and a delegate from another cell goes to the same section meeting.

I might also say that right within the cell sometimes it is very difficult to find out who the members are who have couriers paying their dues. It is likewise sometimes very difficult to find out, after you join a cell, those members who have dropped out of that cell to hide their identity.

So it is very difficult to have a complete membership list, with the number of members and so forth of any particular cell.

Mr. JOHANSEN. Mr. Chairman, before the counsel proceeds, I should like to go back to the first statement the witness made regarding the organizational setup.

Would he repeat for the record, the top, the very top level organization? Will he identify that again?

Mr. PRUSSION. The very top level organization of the Communist Party of the United States is the Communist International which at many times, under certain circumstances, changes its name to deceitfully hide its intent.

Mr. ARENS. What is the constituent makeup of that? What is the relationship between that and any foreign power or government?

Mr. PRUSSION. The Communist International consists of a delegated body of representatives of the Communist Parties of the various countries throughout the world. It is the Communist Party of the Soviet Union which always, with no exception, sets down the strategy to be used by the Communist Parties throughout the world.

Mr. ARENS. And when Khrushchev set foot on American soil in his recent visit, he came here not only as head of the Soviet Government; he came here as head of the international Communist apparatus and every comrade in the world knew it; is that correct?

Mr. PRUSSION. That is correct, but I would have to enlarge on that. Possibly I can do it later on.

Mr. JOHANSEN. Let me ask one or two further questions.

We had testimony yesterday by a former member of the party, a very capable witness, with respect to an emotional loyalty to Soviet Russia. Is it, or is it not true, that there is not only an emotional loyalty, but a very literal organizational loyalty and relationship between the members of the Communist Party of the United States of America and Soviet Russia as the motherland of the international conspiracy?

Mr. PRUSSION. The American Communist is completely and thoroughly devoted to the Soviet Union. This is the paramount thought in his mind in all of his activities. Being a Communist and a Leninist, he has dedicated his life to come to the assistance of the Soviet Union, if ever need be, just as the Soviet Union is dedicated to come to the assistance of the American Communist Party if that is ever needed.

This is elementary. This is fundamental to every Communist in the teaching of Leninism.

Mr. JOHANSEN. And isn't it true that in the mind and according to the teachings and disciplines of the American Communists, as illustrated by a statement made by Mr. Herbert Aptheker in an article in a Soviet publication last October, that treason, in the language of a Communist, means disloyalty to the Soviet Union and to this inter-

selves from this formal entity, but still remain for all intents and purposes part and parcel of the conspiracy?

Mr. PRUSSION. That is correct.

Mr. ARENS. All right sir. You have told us the first unit to which you were attached. You have told us also who was in the unit with you. Now tell us what did that unit do?

Mr. PRUSSION. Well, at that particular time the major work of the Communist Party was to—it was of a political nature within the ranks of the Independent Progressive Party. They were running a candidate in that area by the name of Betsy Fisher, and in doing this work they tried to gain the support of various other organizations that the Communist Party members had infiltrated.

They participated in the organization of meetings for this candidate. They raised money for the candidate. They circulated petitions. This was the general nature of my first activities in the area.

It was also at this particular time that there was an organization in the area called the Council for Civic Unity which is, I believe, a splendid organization because it believes in the principles of our American way of life.

They believe that man should, regardless of his race, color or creed, should have all the privileges through law. The Communist Party decided to infiltrate that organization. All members of the cell joined the Council for Civic Unity, and it was the job of Communist Party members to control the thinking and the activities of the Council for Civic Unity.

They are in that position, I believe, today, and this accounts possibly for the many resolutions and many positions that this organization takes which are identical to the position of the Communist Party.

This is the method of infiltration that the Communists use to get support from organizations to put across the program that they want. Unfortunately, there are many organizations of this type, and this type of an organization should not be confused with a Communist-front organization, which is actually set up by the Communist Party in order to do their revolutionary work.

Another part of my activity while I was in that cell was, I was a member of the Trade Union or Industrial Commission of the Santa Clara Valley Communist Party, and it consisted of a delegated body of men from plants throughout the area, Permanente, Westinghouse, General Electric, Food Machinery, and San Jose Steel. These are the plants that I can recall.

There, too, of course, it was the job of this industrial commission to carry out the directives, national and district-wise, in the activities in different trade unions that these delegates were active in.

I don't know, I never did know, the membership of the cells in the different plants. I only got to know the delegates from these plants.

Mr. ARENS. Does that complete the first unit to which you were attached?

Mr. PRUSSION. Well, of course, this unit was involved in various other activities.

Mr. ARENS. Give us a word about that, please, sir.

Mr. PRUSSION. One of the activities, for example, was the Smith Act agitation. They had the Hollywood Ten, so-called, and they carried out fund-raising campaigns, meetings, petitions, circulars, in

an effort to get the Supreme Court to rule in their favor on the Smith Act. This is the general type of activities that they were engaged in.

Mr. ARENS. May I interpose a question at this time?

In the functional operation of the conspiracy, is a comrade under discipline as to the particular part he is to play in the overall conspiratorial operation? In other words, is a member of a cell, let us say here in San Francisco, permitted by the conspiracy to engage in espionage, an operation which we all know, those of us in this work, is headquartered out of the consulates and embassies?

Mr. PRUSSION. Well, we had one experience along that line. But a Communist who is actively engaged in espionage or sabotage does not, unless he makes a mistake and brings the information or reveals the type of work he is doing to his cell.

He, of course, is in contact with the proper people within the Communist Party who could take that information to the proper authorities.

Mr. ARENS. Have you had a particular experience in which you have seen a crossover of the wires in which the espionage functions were mixed or revealed to the comrades in an ordinary cell operation of, say, political warfare?

Mr. PRUSSION. Yes.

Mr. ARENS. Could you reveal it to us?

Mr. PRUSSION. Well, in the cell in which I worked—this was during the Smith Act and the Internal Security Act debate, when the party was underground, one member of the cell, in reporting what he was doing during that period to justify his being a good Communist, reported that since he was a ball-bearing salesman, he had access to most of the missile plants in the area and knew the firing schedules of missiles generally.

He knew the problems that we had with missiles. And he knew the location of missile fields, et cetera. This particular Communist told this to our cell and I think he may have been reprimanded because he had no business telling it to us. This is one example.

Mr. ARENS. Then is it true that there is a functional departmentalization within the conspiracy?

Mr. PRUSSION. Yes; there is.

Mr. ARENS. Have you completed the presentation of the factual material on your first cell?

Mr. WILLIS. Let me suggest at this point, since he has substantially done that, that the reporter might wish a little recess.

We will take a 5-minute recess.

(Members of the subcommittee present at the taking of the recess: Representatives Willis and Johansen.)

(Members of the subcommittee present at the expiration of the recess: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

There is some high feeling prevailing outside. I again want to thank the people inside for their restraint. I think it would be wise to take this attitude, everyone here, that all of you do not have to agree to anything one particular witness says, and all of you do not have to agree with what another might have to say.

But I think these hearings are instructive, and it is the essence of our way of doing business in this country. You have a right to disagree, but disagree without being too disagreeable about it.

I hope that the fine order being maintained will persist. If not, we will have to take measures, but let us not talk about this.

Mr. ARENS. We would like to resume with the witness who was on the stand, Mr. Chairman, if you please.

Mr. PRUSSION, would you kindly resume the witness chair?

At the point at which we went into recess, Mr. Prussion, you were discussing the activities of the first unit to which you were attached when you went into the Communist Party in California at the behest of the Federal Bureau of Investigation in order to serve your Government.

You had described some of the activities of this, I believe it is called, the Los Altos—

Mr. PRUSSION. Los Altos-Mountain View cell of the Communist Party.

Mr. ARENS. The Los Altos-Mountain View unit of the Communist Party, and you have identified certain persons who, to your certain knowledge, were members of that unit.

Now, Mr. Prussion, in our informal conversation during the recess you made it clear to me that there was one individual about whom you wanted to set the record clear, who was not known by you to be a Communist, although supported in a political activity by the Communists.

You were fearful the record might not be absolutely fair and impartial with respect to that individual. So I would suggest before we proceed further in your testimony that you clarify the record on that item.

Mr. PRUSSION. Yes. I have reference to Betsy Fisher, who ran for an office on the Independent Progressive Party ticket, and the entire campaign, from its inception, was organized, directed and concluded by decisions made by the Communist Party units in that congressional district.

Mrs. Betsy Fisher was the candidate, but I had never seen her attend a cell of the Communist Party.

Mr. ARENS. You had mentioned her name in connection with an activity and you were fearful that the mentioning of her name might be misconstrued.

Mr. PRUSSION. Yes.

Mr. ARENS. You at no time in your testimony suggested that she was directly a Communist; is that correct?

Mr. PRUSSION. Betsy Fisher, however, carried out the decisions of the Communist Party insofar as the campaign was concerned. However, she may not have had knowledge of it at all. She may have been a victim of Communist deceit.

Mr. ARENS. May I just, therefore, ask you is there any other significant item of information with reference to the Los Altos-Mountain View unit to which you were attached that you would like to present at this time before we proceed into the next unit?

Mr. PRUSSION. This particular unit existed, as I stated, during the Smith Act trials, and during the security measures taken by our Government during that period, and as a result of that we had many members conveniently drop out of the Communist Party in that cell, to the extent that of approximately 40 members of the Palo Alto cell and the Los Altos-Mountain View cell, it had dropped to 20 with the

two cells combined, showing less than one-half of the former total membership.

Mr. ARENS. Was that a legitimate drop or a screened drop?

Mr. PRUSSION. This was a screened drop.

Mr. ARENS. In other words, they stayed in the conspiratorial Communist Party, but gave up their technical membership; is that correct?

Mr. PRUSSION. It was so stated when these people dropped out. They stated their reasons for this.

Mr. ARENS. I want to confine the testimony at the moment to the Los Altos group—have you any illustrations in mind where people resigned technical membership or were even technically expelled from the entity known as the Communist Party in order to accomplish a Communist objective, but maintained themselves to all intents and purposes under Communist discipline?

Mr. PRUSSION. William King resigned from that cell of the Communist Party, because, I believe, he was an electronic engineer working either at Sylvania or one of the local plants in the area. I don't recall which plant. It was precisely for this reason that he was dropped out of the Communist Party, so he could continue his work and retain contact on the upper level.

Mr. ARENS. Do you have any notations of any minutes of a cell meeting in which it is revealed that the party is making a technical expulsion of an individual from the Communist Party so that individual could obtain a teaching certificate and not be subject to the pains and penalties of a perjury action, but maintain himself in the operation?

Mr. PRUSSION. Yes; I have such evidence.

Mr. ARENS. Do you have it with you now?

Mr. PRUSSION. It is here somewhere.

Well, I can tell you exactly what transpired and I can find the documentary evidence a little later. Here it is.

Mr. ARENS. What is that document you presently have in your hand?

Mr. PRUSSION. Well, this document is a description of a typical meeting of a Communist cell held in Palo Alto at a time when the Communist Party was at its low ebb because of the Smith Act prosecutions and the security measures taken by our Government. It was in this particular meeting that Mary Wilson made a motion to drop Elliott Wilson from the party since he is getting his doctor's degree at Stanford and is applying for a job with the State for teaching and wants to be able to swear that he is not a member of the Communist Party.

The motion was carried and Mr. Wilson was expelled, so-called, from the party.

Mr. ARENS. Were you present at that meeting?

Mr. PRUSSION. Yes; I was.

Mr. ARENS. Was that process evolved for the sole and exclusive purpose of enabling him as a comrade to maintain himself in the operation without being under the impact of the law of this State precluding Communists from certain activities?

Mr. PRUSSION. That was the purpose of the resignation and expulsion. I don't believe Mr. Wilson has obtained a job as a teacher, but his activities in the area are in line 100 percent with the program and directives of the Communist Party.

Mr. ARENS. Mr. Prussion, have we concluded the essence of the factual material which you can present to this committee with reference to this first unit before we proceed to the next one?

Mr. PRUSSION. Well, the evidence that I have on the first unit is a multitude of evidence and it is hard to recall all of the activities which revolved around—

Mr. ARENS. I expect to come back to specific activities respecting the overall operation, such as political infiltration and the like, which would cross both cells.

When did you leave this first cell?

Mr. PRUSSION. It was about in 1956.

Mr. ARENS. Then in 1956 were you attached to another cell?

Mr. PRUSSION. In 1956 I was attached to the Palo Alto cell of the Communist Party.

Mr. ARENS. First of all, tell us where the Palo Alto cell functioned; tell us what it did, and who, to your certain knowledge, were members of the Communist Party attached to the Palo Alto cell.

Mr. PRUSSION. The Palo Alto cell met in the homes of different members of the cell. At times it was held at the home of Mary Field, other times at the home of Gertrude Adler, Doris Dawson, Mary Wilson, Michael Shapovalov.

Mr. ARENS. Were all these persons to your certain knowledge members of the Communist Party?

Mr. PRUSSION. I might at this time name the people who were members of this cell so that we can—

Mr. ARENS. Is each and every one of these persons, to your certain knowledge, a member of the Communist Party?

Mr. PRUSSION. That is correct.

Mr. ARENS. All right, sir. Now proceed with your names, if you please, Mr. Prussion, and give us, if you will do so, the spelling of those that are difficult names, and a word of description.

Mr. PRUSSION. The following members of the Palo Alto cell, which was a combination of the former Los Altos-Mountain View cell and the Palo Alto cell were: Estelle King, William King, Walter Harju, Elliott Wilson, Mary Wilson, Doris Dawson, Gertrude Adler, Isaac Folkoff, Michael Shapovalov, Esther Shapovalov. I believe that is correct.

Mr. ARENS. Were they husband and wife, or are they?

Mr. PRUSSION. Yes. Ed Ross, Belle Ross, Sara Alchermes, Ed Schneider, Elizabeth Nicholas, Gelsomine Becks, Ed Becks, Myra White, Alvin White, Isobel Cerney, and her husband, Mr. Cerney—I don't recall his first name; Mary Field, Holland Roberts, and Harvey Richards.

Mr. ARENS. How long were you attached to this particular cell?

Mr. PRUSSION. I was attached to this cell for approximately—from 1956 until 1959.

Mr. ARENS. Now, Mr. Prussion, tell us about the activities of the comrades, and let us take up first of all the subject of political warfare or political infiltration.

Mr. PRUSSION. At the conclusion of the presidential campaign in which Vincent Hallinan was defeated for president on the Independent Progressive Party ticket, directives were received by all Communists to drop the Independent Progressive Party and to let it shift

for itself, and in so doing the Independent Progressive Party was allowed to disintegrate.

The directors also stated that all members of the Communist Party should infiltrate and become active in the election campaign of the Democratic Party. At that particular time the Right to Work Act was a major issue upon which the Communists latched, and the major motivation they had in this campaign was to defeat Senator Knowland and the Right to Work Act.

They worked diligently in the precincts as Democrats, went from house to house, in their efforts to defeat Knowland and to assure a Democratic victory. They also, of course, utilized the right-to-work issue, which they opposed, in their campaign efforts.

Mr. ARENS. I would like to interrupt here to request you to make a point, Mr. Prussion, which we are confronted with. Did the Communist Party and the comrades who were under Communist Party discipline, have any sincere interest in this campaign other than to obtain a particular objective in a specific issue for the party?

Mr. PRUSSION. There was no sincerity and there never is any sincerity on the part of a Communist in fighting for an act which is socially beneficial. They utilize such activity in order to, what they call, raise the class-conscious spirit of the working class, to intensify the class struggle, to gain leadership and to be able to hasten the day when the prerequisites of the revolution are met.

Mr. ARENS. In other words, irrespective of the merits or demerits of the right-to-work legislation, irrespective of that, on which honest, patriotic, reasonable people could differ, the Communists penetrated in a political process for the purpose of benefiting the Communist operation itself; is that correct?

Mr. PRUSSION. That is correct. That was their motivation.

The Communist Party at that time fell upon a great political opportunity and they began to infiltrate the California Democratic Clubs in the area.

There is indication that there has been similar infiltration throughout the State of California. The South Palo Alto, California, Democratic Club and the Stanford, California, Democratic Club were infiltrated by such people as Ed Ross, and this work was his principal assignment.

Elliott Wilson was active in these, and some other individuals were active Communists, but I would have to modify my statements as to some other individuals because although they were Communists they did not have direct cell activity. They did not attend cell meetings—such people as Peter Szego.

Mr. ARENS. Spell it, please.

Mr. PRUSSION. S-z-e-g-o; and Allan Isaksen, I-s-a-k-s-e-n. Allan Isaksen ran for election in the 28th Assembly District on the Democratic ticket. Allan Isaksen, who was a Communist at the time, sought and received the complete approval of the District Political Committee of the Communist Party before he filed to run on the Democratic Party ticket.

The name of Allan Isaksen was first proposed to the section by Elizabeth Nicholas, who at that time was a section organizer, and throughout the entire campaign, if the records are unearthed through the press, you will find that Communists and Allan Isaksen carried on a continuous campaign of denying the fact that he was a Com-

munist, and denying the fact that the Communists had anything to do with his campaign.

Mr. ARENS. Do you here and now, while you are under oath, testify, under the pains and penalties of perjury, that to your certain knowledge Allan Isaksen was a member of the Communist Party?

Mr. PRUSSION. Allan Isaksen, to my best knowledge, has never been seen paying dues in the Communist cell. He has, however, in my presence, attended a Communist cell meeting in Palo Alto.

Mr. ARENS. Was that a cell meeting to which only Communists were admitted?

Mr. PRUSSION. That is correct.

Mr. ARENS. That is what we described a little while ago as a closed party cell meeting; is that correct?

Mr. PRUSSION. That is correct.

And at a future date, Allan Isaksen met with Albert Bob Lindsay, myself, Elizabeth Nicholas and Elliott Wilson to discuss his filing for candidate. Bob Lindsay is an avowed Communist of great activity. Elizabeth Nicholas is section organizer.

It was agreed that we would go to the district, to a representative of the district office of the Communist Party, Oleta Yates, that evening, and get her necessary approval for Allan Isaksen to run on the Democratic ticket.

Mr. ARENS. Let the record be clear on a point, please.

Did these various Communists whom you have identified and who, according to your testimony, were under instructions to penetrate in political activity, reveal to their associates in any of the legitimate political parties that they were under instructions to do so as members of this conspiratorial force known as the Communist Party?

Mr. PRUSSION. No, they did not. This would not be proper Communist tactics. Oleta Yates, whom we saw about 11:30 in the evening, referred the subject of Allan Isaksen to a section committee meeting which was being held that Sunday in the city of Palo Alto in the home of Mary Field, and the final decision as to Allan Isaksen's running would be made there at that time.

It was so made and Allan Isaksen filed to run for office at the deadline, and a campaign of lie and deceit was carried out, almost successfully, in his campaign against Bradley in that particular district.

Now I would like to say something about the California Democratic Council<sup>1</sup> and its local affiliates. We all, of course, have a great respect for the Democratic Party and the Republican Party, or any political party that believes in our orderly procedure, parliamentary procedure, of carrying out our political work. My discussion of the California Democratic Council is in no way meant to harm the Democratic Party, but only to inform it that these people do constitute a menace within the organization.

I recall back in 1956 at the Fresno Convention of the California Democratic Council there were approximately five Communists from

<sup>1</sup> The California Democratic Council, a statewide organization of about 40,000 members, is not officially a part of the Democratic Party. Its membership is composed of individual Democratic Party officeholders and nominees and certain official party units (County Central Committees and local clubs) which have affiliated with it. It holds an annual convention, endorses candidates in primary elections, and makes platform and policy recommendations. Its members actively promote its position on issues and candidates on all Democratic Party levels and, in this way, the Council exerts great influence on the State Democratic Party even though it represents only a small minority of the Democrats in California.

the area who went to the Fresno Convention. At that particular convention, the speakers—

Mr. ARENS. Who were these five Communists? Do you recall?

Mr. PRUSSION. Well, there was Allan Isaksen, Peter Szego, whom we will dwell on later, Elliott Wilson, Ed Ross—I just don't recall, but I recall there were five or six who went to that convention.

Mr. ARENS. Did they go under Communist discipline?

Mr. PRUSSION. They were Communists and, therefore, under Communist discipline. There was a certain motivation in going to that convention.

Mr. ARENS. You are not, of course, suggesting that there was any conscious connection, any conscious softness on the part of any legitimate candidate?

Mr. PRUSSION. No; I do not.

Mr. ARENS. You are only suggesting a penetration or an attempted penetration by comrades in a legitimate political party?

Mr. PRUSSION. That is right.

Mr. ARENS. Mr. Prussion, I do not want this record to reflect any suggestion by yourself, and I am not in any sense impugning your motives, any suggestion or possible implication from your testimony that either of the two political parties, or the principal candidates of those two political parties, were knowingly, consciously, under Communist discipline or that there was any conscious kowtow by either of the two great political parties or of their candidates toward Communist influences. That is correct, is it not?

Mr. PRUSSION. That, of course, is true. I am trying to give you a little example of how the Communist Party will use mass pressure tactics in order to influence the decision of a convention of that sort.

Mr. ARENS. Did the Communist Party in its attendance, or in the attendance of the comrades that you identified in this convention, make evident the fact that they, as individuals, were not bona fide members of either of the two great political parties, but they were in truth and in fact Communists?

Mr. PRUSSION. They did not. That was not known at the convention. However, after this convention, Ed Ross reported to a section meeting that they had attained their end at that convention, and that he felt that there was enough influence there to help pressure Stevenson into changing his position.

Mr. ARENS. Do you have information respecting the creation or attempted creation by the Communists on great political issues, of pressure groups at the grassroots for the purpose of trying to get letters sent to Washington or to State capitals for the attainment of Communist objectives?

Mr. PRUSSION. That is day-to-day routine activity of the Communist Party, such as sending telegrams, writing letters, principally trying to get resolutions passed in the different organizations of which they are members, in an effort to put forth the program that they would like to see legislated in the United States. This is ordinary and very usual, and part of the routine.

Mr. ARENS. In that process, I guess it is almost absurd for me to ask you, but do they make it evident that they are members of the Communist Party?

Mr. PRUSSION. No; they do not.

Mr. ARENS. Do you have information respecting the attempts of Communists to influence the course of government by testifying at congressional sessions?

Mr. PRUSSON. I have no knowledge, personal knowledge, of any such testimony in congressional hearings.

Mr. ARENS. How do the Communists obtain the successes which they have in the infiltration of non-Communist organizations or at least organizations that were initially non-Communist organizations?

By what process can a few Communists infiltrate a legitimate non-Communist organization and bring pressure to bear or bring the influence of the conspiracy to bear? What are the techniques?

Mr. PRUSSON. The Communists, in their infiltration work in any organization, although few in numbers, plan their meetings beforehand, they prepare questions, discussions, answers, and in that manner they are able to control a group that has not had similar preparation.

This is the general method through which the Communists are able to control many organizations that, of course, are not Communist organizations.

Mr. ARENS. Now we would like to explore with you Communist semantics.

Do the Communists, in truth and in fact, want peace as we of the free world interpret that term, that word "peace"?

Mr. PRUSSON. In answer to that question, Mr. Chairman, I would like to quote what the official Communist Party position is as taken from Lenin, of whom all Communists are disciples.

I quote—and we must recall that Nikita Khrushchev recently stated that he will not forsake Leninism until shrimps learn to whistle, and this is the attitude of all Communists today—

Mr. ARENS. What are these teachings of Marx and Lenin from which Khrushchev says he will not deviate until shrimps learn to whistle?

Mr. PRUSSON. I would like to quote Lenin, taken from his *Collected Works*, vol. XVI, p. 102—

\* \* \* the existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable.

I would also like to quote Lenin from *Collected Works*, vol. XVII, p. 398—

As long as capitalism and socialism exist, we cannot live in peace: in the end, one or the other will triumph—a funeral dirge will be sung either over the Soviet Republic or over world capitalism. This is a respite in war.

Then I would also like at this time to quote—and this is a significant quotation—it was made by Dimitri Z. Manuilsky, who represented the Soviet Union in the United Nations in 1948, and at that particular time he was head of the Security Council of the United Nations. This is what he taught at the Lenin School of Political Warfare in Moscow some years earlier. This is the school, incidentally, from which many American Communists have received diplomas.

War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. \* \* \* To win, we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will

be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

Mr. ARENS. Mr. Prussion, do you have an illustration or two of a peace front created by the Communists or controlled by the Communists?

Mr. PRUSSION. Yes. Probably the most vicious and the most conspiratorial, the most fraudulent piece of work done by the Communist Party in Palo Alto was done through the Palo Alto Peace Club.

The Palo Alto Peace Club, in its entirety, was set up by the Communist Party. I believe it was in 1948, at the direction of Joseph Stalin and the Communist International that a World Peace Congress was set up in Poland, and the call went out to Communists throughout the world to set up peace clubs and circulate the Stockholm Peace Petition.

Mr. ARENS. Let me interrupt you just to ask this question so you can clarify it for this record as we go along. Mr. and Mrs. America, like Mr. and Mrs. Citizen any place in the world, are and ought to be for peace, as we understand that term, namely, a cessation of hostilities, of tranquility and the like.

"What in the world," Mr. and Mrs. America might well ask, "is wrong with the Communists or anybody setting up an organization which, on the surface at least, is dedicated to the attainment of that objective?"

Mr. PRUSSION. To the Communist Party and to communism generally, peace means complete Communist triumph. All of the acts of aggression, imperialist aggression by the Soviet Union, have always been preceded by a campaign for peace, such as unprovoked invasion of Latvia, Lithuania and Estonia, in which hundreds of thousands were sent to concentration camps and thousands killed who showed any resistance.

This the Communists said they did for peace, because the "capitalist warmongers were trying to encircle the Soviet Union." When the North Koreans launched an attack against the South Koreans, using Soviet guns and tanks, this, too, the Communists called an act of peace.

I might say that just prior to the invasion of South Korea by the North Korean Reds, the Communist Party throughout the world and in Palo Alto were circulating the Stockholm Peace Petition.

Mr. ARENS. What is their objective? Surely we might well ask, reasonably, what is wrong with having an organization dedicated to peace, or at least ostensibly dedicated to peace?

Mr. PRUSSION. The Communist Party, as I tried to explain, uses peace as a means of disarming, pacifying and placating the citizenry of a nation. During the Korean war, for example, the Communist Party was highly instrumental through such organizations as the Palo Alto Peace Club, in demoralizing the people at home as well as demoralizing our troops on the front lines.

Mr. WILLIS. Will you go into the specifics of the Palo Alto Club and its organization. We would like to be informed on it.

Mr. PRUSSION. I was coming to that.

After the World Peace Congress was established by the Communist International and the Stockholm Peace Petition was circulated, the

Mr. ARENS. Have you had any other principal occupation in the course of your career?

(The witness conferred with her counsel.)

Mrs. NICHOLAS. Those are the occupations that I have usually followed.

Mr. ARENS. Have you been a full-time functionary of the Communist Party?

(The witness conferred with her counsel.)

Mr. WILLIS. Counsel has not been identified.

Mr. ARENS. All right, sir.

I will have him identified in just a moment.

Mrs. NICHOLAS. I stand on my grounds of not answering on the first and fifth amendments.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. NICHOLAS. Pardon?

Mr. ARENS. You are appearing here in response to a subpoena which was served upon you by this committee?

Mrs. NICHOLAS. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mrs. NICHOLAS. I am.

Mr. ARENS. Counsel, kindly identify yourself on this record.

Mr. ANDERSEN. George R. Andersen.

Mr. ARENS. Ma'am, we would like to display to you now certain documents bearing the signature of Elizabeth M. Nicholas. First; the photostatic copy of Communist Party proxy for attendance at the State Central Committee meeting in Sacramento, 1940 and dated September 19, 1940:

I, Elizabeth M. Nicholas, duly qualified to sit as a member of the State Central Committee—

designates a certain person named herein as your proxy. Second; a copy of Communist Party appointment of members of the State Central Committee meeting, Sacramento, 1940, signed by Elizabeth M. Nicholas on the 18th day of September 1940.

Kindly look at these two documents which will now be displayed to you by Mr. Wheeler and tell this committee whether or not they are true and correct reproductions of documents signed by yourself as a member of the State Central Committee of the Communist Party in 1940.

(The document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. NICHOLAS. The same answer.

(Documents marked "Nicholas Exhibits Nos. 1 and 2, and retained in committee files.)

Mr. ARENS. Ma'am, if you will kindly look to your left, at the gentleman seated across from you at the table, at the second desk there, who was just testifying and took an oath that while he served as an undercover operative for the Federal Bureau of Investigation in the Communist Party he knew you to be a member of the Communist Party.

Was he in error in that statement?

(The witness conferred with her counsel.)

Mr. ARENS. Or was his statement correct?

Mrs. NICHOLAS. The same answer.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mrs. NICHOLAS. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Donald H. Clark.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing by the truth, so help you God?

Mr. CLARK. I do.

# TESTIMONY OF DONALD H. CLARK, ACCOMPANIED BY COUNSEL, NORMAN HOWARD

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CLARK. My name is Donald H. Clark. My residence is Post Office Box 972, San Jose, Calif. My occupation is I am a civil engineer by profession. My work includes checking line, grade, and workmanship of streets, sidewalks, and sewers, which includes occasionally going a little underground into sanitary sewer lines.

Mr. ARENS. I didn't get the last you said there.

Mr. CLARK. I would like to request that the lights be turned out. Even though I work outdoors in the sunlight often I am not used to being in this third-degree atmosphere which these lights engender. I understand—

Mr. WILLIS. That is enough.

Turn off the lights.

Mr. ARENS. Mr. Clark, you are appearing today in response to a subpoena which was served upon you by this committee?

Mr. CLARK. Yes, sir; I am.

Mr. ARENS. And you are represented by counsel?

Mr. CLARK. Yes, sir; I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. HOWARD. Norman Howard, San Jose, Calif.

Mr. ARENS. Do you know a man by the name of Karl Prussion?

Mr. CLARK. Just a minute, sir.

(The witness conferred with his counsel.)

Mr. CLARK. On the grounds of freedom of association, and on the ground that this question is not pertinent to my—it is not the right of this committee meeting here today to ask me these questions, I decline to reply.

Mr. ARENS. Mr. Prussion testified a few moments ago that while he served as an undercover agent in the Communist Party at the behest of the Federal Bureau of Investigation, he knew you to be a member of the Communist Party.

Mr. Prussion is seated over there to your left. Was Mr. Prussion in error or was he correct in identifying you as a person who was a member of the Communist Party?

Mr. CLARK. I think the answer that I am going to give is essentially the same answer I gave to the previous question. I don't believe it is the business of this Congress, I don't believe it is the business of this committee meeting today to interrogate me in that manner under the constitutional rights that I have granted me as an American citizen.

Mr. ARENS. Are you now, this very minute, a member of the Communist Party?

Mr. CLARK. I think, sir, that by the replies I have given up to now, that you know that I do not intend to cooperate with this committee, the composition being as it is. I could go into many statements. I do not intend to use this as a public forum of my beliefs. I believe this is not the place. My beliefs and my associations are strictly private, my own business, and nobody else's.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest that this witness be ordered and directed to answer the question.

Mr. WILLIS. I order you to answer the question.

(The witness conferred with his counsel.)

Mr. CLARK. Excuse me for a moment for consultation with my counsel.

(The witness conferred with his counsel.)

Mr. CLARK. I believe there is a Constitution and I believe it says something to the effect of freedom of speech, and also I believe there is a point in the Bill of Rights regarding self-incrimination, and I stand on those Bills of Rights as an American citizen, as a former Army officer, as a citizen of this country, as a registered civil engineer.

I do not believe you have the right to interrogate me in this manner and I stand on my rights as I declared.

Mr. ARENS. Over what period of time were you engaged in the service in the military?

(The witness conferred with his counsel.)

Mr. CLARK. I served for this country, I demonstrated my loyalty, I think, very well, for 4½ years, 27 months in the Aleutians, I faced willy-wa's. For your information that is a wind that blows 100 miles an hour or more, and I think I can face this committee. I don't want to face this committee. I don't feel as if I have any place here. I would like to stop answering right there.

Mr. ARENS. During your period of service in the military, were you likewise at that time under the discipline, as a member, of the Communist Party?

Mr. CLARK. Excuse me, sir.

(The witness conferred with his counsel.)

Mr. CLARK. I decline to answer that question on the same grounds as previously stated.

Mr. ARENS. Were you commissioned in the military or did you serve in a non-commissioned capacity?

(The witness conferred with his counsel.)

Mr. CLARK. I think it is a matter of public record that I was a commissioned officer.

Mr. ARENS. At the time you took an oath as a commissioned officer to support and defend the Constitution of the United States against all enemies foreign and domestic, were you at that very instant a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. CLARK. I decline on the same grounds as previously stated.

Mr. ARENS. Do you know Karl Prussion?

Mr. CLARK. I believe you asked me that question already. If your memory is sound, I think I gave you an answer before. It shouldn't be necessary to interrogate me again.

Mr. ARENS. I have in my hand a note written in your handwriting:

DEAR KARL: Please accept my apologies for hollering at you today. It was incorrect using your name and questioning your judgment.

Regards,

DON.

Kindly look at that note which is now being displayed to you by Mr. Wheeler and tell us, while you are under oath, whether or not that is the original note sent by you to a member—a person known by you to be a member of the Communist Party.

(The document was handed to the witness.)

Mr. CLARK. Excuse me, sir.

(The witness conferred with his counsel.)

Mr. CLARK. My counsel tells me I am getting too angry; I should try to be more calm and collected.

I refuse to answer on the same grounds that I used previously.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

(Document marked "Clark Exhibit No. 1," and retained in committee files.)

The next witness, if you please, Mr. Chairman, is Morris Graham.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GRAHAM. I do.

### TESTIMONY OF MORRIS GRAHAM, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. GRAHAM. Morris Graham, San Jose, California. I am a welder. Would you mind turning off those lights? They bother us.

Mr. WILLIS. That will be done.

Mr. ARENS. Would you sit a little closer to the microphone? I only got your name and—I didn't get the latter part of your response, although I guess the reporter got it.

Mr. GRAHAM. My name is Morris Graham, and I live in San Jose, California, and I am a welder by trade.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. GRAHAM. I am.

Mr. ARENS. You are represented by counsel?

Mr. GRAHAM. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George R. Andersen.

Mr. ARENS. Where were you born?

(The witness conferred with his counsel.)

Mr. GRAHAM. I was born in Baltimore, Maryland.

Mr. ARENS. Have you ever used any name other than the name under which you are appearing today?

(The witness conferred with his counsel.)

Mr. GRAHAM. I would like to know the pertinency of that question.

Mr. ARENS. For the purpose of identification, please answer the question of whether or not you have ever used any name other than the name pursuant to which you are appearing today, Morris Graham.

(The witness conferred with his counsel.)

Mr. GRAHAM. Well, in view of the testimony of an informer here today, I must decline on my constitutional rights, the first and fifth amendments.

Mr. ARENS. When you use the word "informer," you use it, apparently, in a derogatory sense. Was Mr. Prussion telling the truth when he identified you as a person known to a certainty by him to be a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. GRAHAM. I decline on the basis of the same previous answer.

Mr. ARENS. How long have you lived in these parts?

(The witness conferred with his counsel.)

Mr. GRAHAM. Since 1954.

Mr. ARENS. Where did you live prior to the time you took up residence here?

(The witness conferred with his counsel.)

Mr. GRAHAM. What period are you referring to?

Mr. ARENS. Prior to the time that you moved to California, where did you live?

(The witness conferred with his counsel.)

Mr. GRAHAM. I must decline for the same reasons as previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness now be ordered and directed to answer this question, because people can live any place in the United States and still be good patriots.

I respectfully suggest, Mr. Chairman, that the witness now be ordered and directed to answer the question as to where he lived prior to the time that he took up residence in California.

Mr. GRAHAM. Before I answer that question, Mr. Chairman, I resent very much the remarks here by the counsel about being good Americans and patriotic and all of that stuff.

Mr. WILLIS. Just disregard it, then.

Mr. GRAHAM. I resent that very much. That is just the opinion—

Mr. ARENS. The reason for my statement, Mr. Chairman, was in order to clarify the record that the question was a proper question under the law.

Mr. GRAHAM. That is an opinion of Mr. Arens about who is patriotic and who isn't. I have my own opinions about that.

Mr. WILLIS. All right; just answer the question. It is so simple. Answer the question as to where you lived prior—

Mr. GRAHAM. I decline to answer the question on the same grounds as previously stated, my constitutional rights, the first and fifth amendments.

MR. WILLIS. You understand I have ordered that you answer?

MR. GRAHAM. I have declined.

MR. ARENS. Did you live in the State of Arizona immediately prior to your taking up residence in California?

(The witness conferred with his counsel.)

MR. GRAHAM. I must decline to answer that for the same reasons stated.

MR. ARENS. Were you state secretary of the Communist Party of Arizona?

MR. GRAHAM. I decline on the same basis.

MR. ARENS. Would you kindly look at this article from the Daily People's World of February 21, 1942?

"Morris Graham Certified for Phoenix Council Race. Morris Graham, Arizona state secretary of the Communist Party, has been certified by the Phoenix city council as a candidate for city commissioner," etc.

Kindly look at that article and tell this committee whether or not the identification in that document of you as then-state secretary of the Communist Party of Arizona is true and correct.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

MR. GRAHAM. I decline on the same reasons previously stated.

(Document marked "Graham Exhibit No. 1" and retained in committee files.)

MR. ARENS. What occupation do you have other than the occupation which you have recited as your principal occupation?

(The witness conferred with his counsel.)

MR. GRAHAM. Will the counsel be more specific?

MR. ARENS. Yes. Are you the section organizer of the Communist Party in this area?

(The witness conferred with his counsel.)

MR. GRAHAM. I must decline for the same reasons as previously stated. I feel that when you have stool pigeons that are brought here—

MR. ARENS. Do you mean by "stool pigeons" someone who is not telling the truth?

MR. GRAHAM. Well—

(The witness conferred with his counsel.)

MR. GRAHAM. Well, I would say this, if you were asking me that question. You were the one who referred to him as an informer.

MR. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

MR. WILLIS. The witness is excused.

MR. ARENS. The next witness, if you please, Mr. Chairman, will be Doris Dawson.

Please come forward and remain standing while the chairman administers an oath.

MR. ANDERSEN. Counsel, am I in the same situation on this witness as in the preceding witness?

MR. (Norman) HOWARD. You are. This is one of Mr. (Joseph) Lewis' clients and he is at the ball game.

MR. ARENS. We will take her tomorrow when he is able to be here.

MR. Archie Brown, please come forward and remain standing while the chairman administers an oath.

Mr. ANDERSEN. Again we apparently have a problem. I communicated with Mr. Brown—as a matter of fact, I had lunch with Mr. Brown—and I told him what the committee told me, and he said, “I will be there,” he says. “I always respect an order of Congress.” That was his reply.

But when he came back here, I think he was wet by a fire hose and he was refused admission here. I haven’t seen him since.

Mr. ARENS. Mr. Wheeler, would you kindly request the officers there to announce in the hall he is being paged?

Counsel, I wonder if it would be convenient for you to come back toward the microphone.

Mr. ANDERSEN. I would prefer it if the lights were off.

Mr. WILLIS. We will have them turned off.

Mr. ARENS. Would you kindly accommodate the committee by notifying Mr. Brown that he has again been called for appearance here? If you have lunch with him tomorrow, we will take him tomorrow afternoon, or if you see him or are in contact with him. It is the position of the committee that he is under a continuing subpoena and he has not been formally excused from attendance at these sessions. If you will do that, it will be an accommodation to us.

Mr. ANDERSEN. Pursuant to that, may I address the Chair?

He has tried twice to my knowledge to get into this room and each time he has been refused the right to get into the room. If your subpoena means something, it at least should amount to as much as these little white cards you gave.

I am going to tell the committee this: Unless they let him in that door, the next time he comes there with me, I am going to tell him then to go home, if he wishes to.

Mr. ARENS. If you anticipate any particular time when he might be here, just let us know and we will be certain that he is admitted into the hearing room to testify.

Mr. ANDERSEN. What time do you want him here tomorrow?

Mr. ARENS. We will take him any time he shows up.

The next witness, if you please, Mr. Chairman, will be Mr. Martin Ludwig.

Kindly come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand to be sworn.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUDWIG. I do.

### TESTIMONY OF MARTIN LUDWIG, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LUDWIG. Martin Ludwig. I live at 1601 Diamond Street. I am a clerk.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. LUDWIG. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. LUDWIG. That is right.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George Andersen.

Mr. ARENS. Where and when were you born, sir?

(The witness conferred with his counsel.)

Mr. LUDWIG. I was born March 28, 1913, in Brooklyn, New York.

Mr. ARENS. How long did you live in the East before you came out to the Coast?

(The witness conferred with his counsel.)

Mr. LUDWIG. Up to about 1940, I believe.

Mr. ARENS. Where were you educated, please?

(The witness conferred with his counsel.)

Mr. LUDWIG. Normal elementary school, high school, and a couple of years of college back East.

Mr. ARENS. I didn't get the last.

Mr. LUDWIG. A couple of years of college back East.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. LUDWIG. On the first amendment and on the fifth amendment, I refuse to answer that question.

Mr. ARENS. Mr. Ludwig, I have in my hand a copy of a letter addressed to the National Committee of the Communist Party of the United States in which the authors of the letter, and I will be glad to show it to you if you want to—I think you know about the letter, or, in fact, I am sure you do—in which the authors of the letter make certain criticisms of the Communist Party as a formal entity, certain of its planks and programs.

This letter is dated March 26, 1958, in which the authors of the letter do not submit by a fair characterization a resignation, but say "we are leaving the Communist Party," and then they, in the letter, set forth a program of activity to carry forward the program of the formal entity known as the Communist Party.

Among those persons who are signatories to this document from northern California appears the name Martin Ludwig.

I am corrected by our investigator. It appears as the name "Martin," and our investigating techniques have caused us to conclude that the Martin is yourself, Martin Ludwig.

Kindly look at this document while it is being displayed to you and tell this committee whether or not that is a substantially correct reproduction of an original letter—I say substantially correct because it is typewritten, and we understand the original letter may not have been—an original letter signed by yourself and others on the date indicated in 1958, addressed to the National Committee of the Communist Party of the United States.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. LUDWIG. Mr. Director, my answer to that is the same as the previous answer. I am standing on the first amendment—

Mr. ARENS. Could you raise your voice or speak a little more slowly, please?

Mr. LUDWIG. I am speaking directly into the mike and I said my answer is the same answer as the previous answer, on the first and fifth amendments.

(Document marked "Ludwig Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Mr. Ludwig, let me make a statement to you, if you please, sir.

Under the law, there is what is called an immunity statute, pursuant to which this committee can set in motion legal proceedings which, if consummated, have an ultimate result of granting immunity to a witness, immunity from any criminal prosecution for certain factual material which he might reveal in testimony.

It is the judgment of this committee that you, sir, having been a leader, so we are advised by unimpeachable sources, having been a leader of a dissident group within the Communist Party, have information which would be of extreme value to your Government, via this committee, in its attempts to legislate on Communist activities, attempting to protect this country under whose flag you and I both have protection against the onrush of the Communist conspiracy.

It is our information, sir, that at one time you were, until 1957, at least, very active as a regional representative in the Communist Party itself, and that under leadership of yourself and others a dissident group has been developed within the Communist operation.

We say quite frankly we know very little about it, except we think there is very significant information there which ought to be available to this committee.

With that explanation, I ask you this question in all sincerity: If this Committee on Un-American Activities should initiate the proceedings to grant you a complete immunity from criminal prosecution based on any information, direct or collateral, which you could give this committee in the course of testimony to serve your Government, and if those proceedings are consummated so that you are granted such immunity, would you accept that immunity and would you then testify fully and freely respecting all items of information on which we might interrogate you within the purview of this committee's jurisdiction?

(The witness conferred with his counsel.)

Mr. LUDWIG. Mr. Director, after consultation with my attorney, I would suggest that you consult with him after you make up your decisions.

Mr. ARENS. You see why we haven't. We would not want to initiate such proceedings and carry it through to an ultimate conclusion, if possible, an immunity for yourself, unless we had some indication from yourself.

Of course, I am not personally in a position to make any commitments for the committee. The committee is autonomous and I only work for the committee. We could not make any commitments unless we had some indication from yourself that if you were granted a complete immunity from criminal prosecution for any information which you might supply to this committee, directly or indirectly, you would accept the immunity and you would testify fully and freely on all items of information on which you might be interrogated within the jurisdiction of this committee.

Mr. WILLIS. You understand, of course, that that interrogation could not be done today or anything of that sort. The proceedings would have to be initiated, if that relieves you any, or if you want to think about it.

(The witness conferred with his counsel.)

Mr. LUDWIG. Mr. Staff Director, I am here under subpoena. I would never voluntarily appear before such a committee—

Mr. ARENS. Could you speak a little more loudly or slowly?

Mr. LUDWIG. I said I am here before this committee under subpoena. I would never have appeared here or anywhere else unless I were under subpoena. I think that answers your question.

Mr. ARENS. It does answer our question.

I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if the chairman please, will be Mr. William Mandel.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANDEL. I do.

#### TESTIMONY OF WILLIAM MANDEL, ACCOMPANIED BY COUNSEL, BERTRAM EDISES

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MANDEL. My name is William Mandel. I live at 233 Lake Drive, Berkeley. By occupation, I am a translator of scientific material, a lecturer, a leader of travel tours, an author, radio and television commentator, and have been a newspaperman at various times until committees such as this made it difficult for me to continue in some of these fields.

Mr. ARENS. I will say not facetiously but in earnest appraisal that you have certainly engaged in a number of activities.

You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. MANDEL. I do.

Mr. ARENS. You are represented by counsel?

Mr. MANDEL. I am, to the degree that a counsel not able to speak for me can represent me.

Mr. ARENS. Would you kindly identify yourself, Counsel?

Mr. EDISES. Bertram Edises, Berkeley, California.

Mr. MANDEL. By the way, if the television people want some news, they can put the lights on. They can put them on if they want something to show their audiences.

Mr. ARENS. Do I understand you want the lights on?

Mr. MANDEL. I want the lights on, precisely. I want the fullest glare of publicity on this committee's activity.

Mr. WILLIS. Proceed.

Mr. ARENS. Where and when were you born, please, sir?

Mr. MANDEL. I was born in New York City, June 4, 1917.

Mr. ARENS. Give us a word about your education.

Mr. MANDEL. I was educated in the public schools, junior high schools and high schools of New York City. I had one semester in

biochemistry at the age of 14 at the University of Moscow, U.S.S.R. I specify my age so no nonsense about the Lenin School can be asked of me. I then had one year at City College in New York. I was expelled for opposition to military training in 1933 at age 16. In 1947, the Hoover Institute at Stanford University engaged me as a fellow at post-doctoral stipend on the basis of two books I had written for the specific purpose of compiling an encyclopedia of the U.S.S.R. This is my education.

MR. ARENS. Are you now, or have you ever been, a member of the Communist Party?

MR. MANDEL. Sir, I am 42 years of age, and have never had to face a jury as defendant or grand jury as witness in my life. My research and writing have been so public that two committees similar to this one, the Senate Internal Security Subcommittee and the McCarthy committee, subpoenaed me as far back as 8 and 7 years ago, respectively, for having written a book titled "The Soviet Far East and Central Asia." No indictment resulted from those hearings either, or from my continued public speaking or writing since that date.

Clearly, therefore, I have committed no crime under any of the laws of this country and am not engaged in subversion. Consequently, I refuse to testify on the grounds that, as a radio and TV public affairs broadcaster, activity in those capacities today, the subpoena issued to me interferes with the rights of my stations to schedule formal programs on their merits and is thus a direct violation of the first-amendment guarantee of freedom of speech and of the people's right to hear.

Further, as a scholar with a 20-year record of research in public writing and lecturing in my chosen field, the study of the Soviet Union, a field admitted by all to be one of which this country is in vital need of knowledge, I refuse to testify on the grounds that the subpoena is a violation of freedom of inquiry, which can only be expressed through the free speech and free press guaranteed in the first amendment, to the academic community as to all others. Lastly, I certainly shall not answer questions representing allegations against me made by persons not present and not identified, whom I cannot confront and whom my lawyer cannot cross examine as to their truthfulness.

To rest my case solely on the first amendment would, as 36 cases now in the courts show, condemn me to years of court action at enormous costs. It would cost me my home and impoverish my family for a very long time to come, which, of course, is what this committee desires. Therefore, I also refuse to testify under my right not to be a witness against myself, a right originated to protect the innocents. The guilty can be convicted by the testimony of others if there is any real evidence to present.

MR. ARENS. Do you honestly apprehend that if you told this committee truthfully while you are under oath whether or not you are now, this instant, or ever have been, a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

MR. MANDEL. Honorable beaters of children and sadists, uniformed and in plain clothes, distinguished Dixiecrat wearing the clothing of a gentleman, eminent Republican who opposes an accommodation with one country with whom we must live in peace in order for all of us and our children to survive, my boy of 15 left this room a few minutes ago in sound health and not jailed solely because I asked him to be in here

to learn something about the procedures of the United States Government and one of its committees. Had he been outside where the son of a friend of mine had his head split by these goons operating under your orders, my boy today might have paid the penalty of permanent injury or a police record for desiring to come here and hear how this committee operates.

If you think that I am going to cooperate with this collection of Judases, of men who sit there in violation of the United States Constitution, if you think I will cooperate with you in any way, you are insane.

MR. WILLIS. Proceed, Mr. Arens.

MR. ARENS. Now, sir, were you a lecturer—(Applause).

(The witness conferred with his counsel.)

MR. MANDEL. Yes, sir, I was. And I lectured on Shostakovich's oratorical "Song of the Forest"; what do you know about that?

MR. ARENS. And were you at that time a member of the Communist Party and did you lecture as a Communist?

MR. MANDEL. As I told you before, sir, if there are laws on the books of this country under which any of the activities in which I have engaged, publicly and openly—and I would be delighted to bring you a list of books literally this long, which either I have written or which have been cited as authority in books written years later in other countries, or journals to which I have contributed, if any of this public record, almost all of it scholarly by anybody's definition, is to be regarded or were regarded by anyone as criminal activity, there are laws on the books under which the proper authorities of the United States could have taken, or could now take, action against me.

I have never disappeared in my home. I have been available at all times. This question has no purpose other than to harass me. When I was asked this question last in 1943 by the late Joe McCarthy, and let me say that I am honored when people come up to me on the streets—perhaps I don't deserve this honor—and say, "You are the man who killed Joe McCarthy," because I happened to appear on the first day of the bookburning matter and I did my best to conduct myself in the manner I am conducting myself today. If there was any such evidence against me under any law, the proper authorities could move against me. This body is improperly constituted. It is a kangaroo court. It does not have my respect. It has my utmost contempt, and I am not going to answer that question, sir.

MR. WILLIS. Proceed.

MR. ARENS. Do you have information respecting the operations of the criminal conspiracy dedicated to the overthrow of this Government by force and violence, which criminal conspiracy is represented on American soil in part by that entity known as the Communist Party?

(The witness conferred with his counsel.)

MR. MANDEL. My answer is "No, sir, and no matter how many ways you ask that question, it will remain the same."

MR. ARENS. Do you have present information respecting the activities of the Communist Party in northeastern California?

MR. MANDEL. Would you kindly define what you mean by present information, sir? Do you mean do I read books or newspapers? I read books and newspapers.

MR. ARENS. Do you know from personal experience in closed Communist Party meetings the identification of persons who, to your

certain knowledge, are now, or in the recent past have been, members of the Communist Party active in northern California?

(The witness conferred with his counsel.)

Mr. MANDEL. My answer is "No, and if I did I would not tell you." But my answer is "No."

Mr. ARENS. Are you now a member of the Communist Party?

Mr. MANDEL. You got that answer before.

Mr. ARENS. I asked you——

Mr. MANDEL. You got that answer before.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to whether or not he is now a member of the Communist Party.

Mr. MANDEL. If you will look at the record of my statement, you will find that that statement covered this question.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to whether or not he is now a member of the Communist Party.

Mr. WILLIS. This is a specific question on that point that has not been technically asked and I order you to answer it.

(The witness conferred with his counsel.)

Mr. MANDEL. It is very fortunate that I have an attorney who seems to think about these things just as I do. I am very honored. This question is an invasion of my political privacy. I answered it at the outset, and no matter how many tricky forms you take to pick it again, you will get that same answer. It has been answered.

Mr. ARENS. Does the record reflect a clear direction that you have been directed to answer that question as to whether or not you are now, this instant, a member of the Communist Party?

Mr. WILLIS. I think you meant to indicate that you are declining to answer for the reasons previously indicated.

Mr. MANDEL. Yes, that is correct.

Mr. WILLIS. That is what I understood you to say.

Mr. MANDEL. That is correct.

Mr. ARENS. That is all we wanted to know.

Thank you, sir.

We have no further questions, Mr. Chairman, of this witness.

Mr. WILLIS. The witness is excused.

(Witness excused.)

Mr. ARENS. The next witness, if you please, will be Mr. Jack Weintraub.

Mr. WILLIS. Please raise your right hand.

You do solemnly swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WEINTRAUB. I do.

#### TESTIMONY OF JACK WEINTRAUB, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. WEINTRAUB. Would you mind turning off the lights? I have been staring at them all afternoon, and all morning, too.

Mr. WILLIS. All right.

(The witness conferred with his counsel.)

Mr. WEINTRAUB. My name is Jack Weintraub. I live at 3637 Santiago Street, San Francisco. My occupation is driver, truck driver.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. WEINTRAUB. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. WEINTRAUB. I am advised by counsel.

Mr. ARENS. Do you have counsel seated next to you there?

Mr. WEINTRAUB. That is true.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George Andersen.

Mr. ARENS. Where and when were you born, please?

Mr. WEINTRAUB. I was born in Bronx, New York, November 13, 1916.

Mr. ARENS. And give us a word, please, about your formal education.

Mr. WEINTRAUB. Just a moment. I would like to consult with my attorney.

(The witness conferred with his counsel.)

Mr. WEINTRAUB. I went through grammar school, high school, and completed one year of university, a year and a half of university.

Mr. ARENS. Did you receive any other training?

Mr. WEINTRAUB. Repeat the question, please.

Mr. ARENS. Have you received any other training since the completion of this formal education which you have described to us?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. What do you mean? Would you explain that, please?

Mr. ARENS. Have you attended any other schools?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. Do you mean another college?

Mr. ARENS. Any other schools besides the formal training which you have just now described to us?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. Would you specify what kind of schools do you mean?

Mr. ARENS. Yes. Have you been a student at the California Labor School?

Mr. WEINTRAUB. Yes, I did.

Mr. ARENS. Over what period of time did you receive instruction at the California Labor School?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. The Government paid my tuition there under the GI bill of rights. It is a matter of record.

Mr. ARENS. When?

Mr. WEINTRAUB. I would say about a year, between 1946 and 1947.

Mr. ARENS. Do you know a man by the name of Vern Bown?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. I would refuse to answer that question on the basis that I should have a right of association guaranteed to me under the Constitution, by the first amendment, without saying yes or no whether I know him. I would answer that about anybody that you ask me.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to whether he knows a person by the name of Vern Bown.

Mr. WILLIS. I direct you to answer that question.

(The witness conferred with his counsel.)

Mr. WEINTRAUB. Furthermore, the Constitution protects me with the fifth amendment as well.

Mr. ARENS. Do you honestly apprehend that if you told this committee whether or not you know a person by the name of Vern Bown you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. I have already answered.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer this last outstanding principal question which is for the purpose of testing his good faith in invoking the fifth amendment.

Mr. WILLIS. It is a perfectly proper question. You are directed to answer it.

(The witness conferred with his counsel.)

Mr. WEINTRAUB. I refuse to answer it on the grounds of the first and fifth amendments.

Mr. ARENS. It is the information of this committee, sir, that you were a section leader of the AFL Section of the Communist Party at the time that Vern Bown was expelled from that section, and were one of those who was engaged in raising a protest with the National Committee of the party respecting this expulsion. For the purpose of this record, I ask you now: Were you, at the time of the expulsion of Vern Bown from the AFL Section of the Communist Party, yourself, a member of the Communist Party active in the AFL Section?

(The witness conferred with his counsel.)

Mr. WEINTRAUB. Mr. Arens, before I give my answer I would like to preface it with the reason why I am giving my answer. I consider this committee to be in the same stripe as other governmental agencies such as, for example, the McClellan committee, which supposedly was investigating both labor and management, and managed to investigate only labor basically, and the monitors investigating the teamsters or taking over the control of the teamsters under the direction of Judge Letts, and the Kennedy-Landrum-Griffin bill which is anti-labor legislation. I have not run into any governmental agency of this stripe which is pro-labor or which gives labor a fair shake.

I think if labor were to get the fair shake that it deserves, this committee would not be in existence. For example, in Louisiana, if the people down there were organized, they would have the right to vote. I don't think they have that complete right. I am not going to cooperate with this committee. I feel that they are out to hang me, they are out to ruin me, if possible. But this is just a by-product of their general anti-labor trend. Therefore, I invoke the fifth amendment again.

Mr. ARENS. In order that we can help probably clean out Communists—

Mr. WILLIS. I will say this, Mr. Arens, at least he was kinder than the others by saying he does not think something about voting rights in my district. He did not charge it as unduly and as harshly as others. But I might now say for the record that they do vote.

Proceed.

Mr. WEINTRAUB. Congressman Willis—

Mr. WILLIS. I do not want to debate.

Mr. WEINTRAUB. I wish to ask a question.

Mr. WILLIS. I do not want to debate.

Please proceed.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mr. WEINTRAUB. The same answer as to the previous question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The next witness, if you please, Mr. Chairman, will be Mr. John Andrew Negro.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Kindly raise your right hand.

Do you solemnly swear that the testimony that you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEGRO. I do.

#### TESTIMONY OF JOHN ANDREW NEGRO, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NEGRO. My name is Andrew Negro. My residence is 450 Clipper Street, and I say that knowing that within that audience there is a group here for the purpose to intimidate my family and myself. I say that also knowing that the same person has intimidated two people here, threatening to kill them, murder them. You are responsible by taking me here and putting my family in jeopardy so crackpots like that can exist.

My occupation is a house painter.

Mr. ARENS. You are appearing today, Mr. Negro, in response to a subpoena which was served upon you by this committee?

Mr. NEGRO. In reluctance.

Mr. ARENS. And you are represented by counsel?

Mr. NEGRO. I am represented by counsel but he cannot speak.

Mr. ARENS. Counsel, will you kindly speak up and identify yourself before this committee?

Mr. ANDERSEN. This is hardly speaking, but my name is George Andersen.

Mr. ARENS. Now, sir, have you ever been engaged in seamen activities of any kind, waterfront activities?

(The witness conferred with his counsel.)

Mr. NEGRO. Yes, I have been a seaman.

Mr. ARENS. Over what period of time were you a seaman?

(The witness conferred with his counsel.)

Mr. NEGRO. Approximately 7 or 8 years.

Mr. ARENS. Could you give us those years, please, roughly?

(The witness conferred with his counsel.)

Mr. NEGRO. To my recollection it was 1942 to 1950.

Mr. ARENS. And in what capacity did you serve as a seaman?

Mr. NEGRO. As a seaman, I sailed in the capacity of messman, ordinary seaman and able-bodied seaman.

Mr. ARENS. What year was it that you were no longer a seaman? When did you depart from that activity?

Mr. NEGRO. Do you mean when I stopped sailing?

Mr. ARENS. Yes.

(The witness conferred with his counsel.)

Mr. ARENS. Just your best recollection.

Mr. NEGRO. 1950, around 1950.

Mr. ARENS. What caused your disassociation from the seaman's vocation or occupation?

(The witness conferred with his counsel.)

Mr. NEGRO. I got hurt, injured on a ship.

Mr. ARENS. Did you have seaman's papers during all of the time of your employment as a seaman on vessels?

(The witness conferred with his counsel.)

Mr. NEGRO. I always had seaman papers at the time that I sailed.

Mr. ARENS. Did you ever have your seaman's papers lifted or denied?

(The witness conferred with his counsel.)

Mr. NEGRO. No, they were not.

Mr. ARENS. And then what was your principal occupation after you concluded your service as a seaman?

(The witness conferred with his counsel.)

Mr. NEGRO. I went into the Army of the United States.

Mr. ARENS. During your service as a seaman on vessels, what vessels did you sail on, the nature of the vessels? Were they merchant vessels or what were they?

(The witness conferred with his counsel.)

Mr. NEGRO. I sailed on many kinds of vessels. I don't see where this is pertinent to this hearing here.

Mr. ARENS. During the course of your work, or during the period of your service on vessels, were you a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NEGRO. Would you turn out these lights here? They are blinding. They give the business of a third degree.

(The witness conferred with his counsel.)

Mr. NEGRO. Would you repeat the last question?

Mr. ARENS. Yes. Kindly tell this committee if, during your period of service as a seaman on the vessels, at any time you were a member of the Communist Party.

(The witness conferred with his counsel.)

Mr. NEGRO. I would like to make a statement about that. In a sense, I would like to read what Jimmy Roosevelt said before the House of Congress, and my conviction is that the House Un-American Activities Committee is closer to being dangerous to America in its concepts than most of what it is investigating. My conviction is that it is continuing discredit to the country and more immediately to this

House. My conviction is that so long as we continue its existence we must equally share the guilt for the evil for which it does. It has been an agency for the destruction of human dignity and constitutional rights. We have been accustomed to think of those whom it subpoenas and labels as victims rather than witnesses.

Mr. ARENS. Is that the only response you care to make to the question as to whether or not you were a member of the Communist Party during your service on these vessels?

(The witness conferred with his counsel.)

Mr. NEGRO. I use the first amendment because you have no right to interfere with my private life, and also the fifth amendment.

Mr. ARENS. Were you a member of the Communist Party during your service in the military?

(The witness conferred with his counsel.)

Mr. NEGRO. The same answer.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mr. NEGRO. Same answer.

Mr. ARENS. Now, sir, when you were served with your subpoena to appear before this committee, the 18th day of April—excuse me, the 27th day of April, 1960—did you thereafter at any time prior to your appearance here today meet with persons known by you to be members of the Communist Party for the purpose of receiving instructions as to the conduct which you and others were to indulge in in regard to this committee and this hearing?

(The witness conferred with his counsel.)

Mr. NEGRO. This question is intimidating and you are attempting to intimidate me. You, sir, are a disgrace to the American people. You are responsible for the demonstrations that take place outside. You have time to time called these demonstrations of students who wish for the question of democracy, who have come to witness democracy, you have called it treason. I will not cooperate with this type of a committee. My answer is the same as the previous, the first and fifth.

Mr. ARENS. Have you been in session regarding the conduct of yourself and others in regard to these hearings, with international Communist agent, Frank Wilkinson, who sits in the front row of these hearings today?

Mr. NEGRO. You are disgraceful in your accusations of accusing people that you don't even have on the stand, with the ability to defend themselves. The same answer, the first and fifth.

Mr. ARENS. To your certain knowledge, were these demonstrations which have been taking place encouraged by persons known by you to a certainty to be members of the Communist Party?

(The witness conferred with his counsel.)

Mr. NEGRO. Sir, I have been sitting in this room since the time I came in this morning. From my knowledge, the students wanted to enter this place here and see what was taking place. You are the cause for the heads that are broken, you are the cause for the backs that are broken or any other things that happened to these students. You are the cause of it. By entering this city of San Francisco you are the cause of it. These students showed their will and love for democracy. They attempted to preserve that right, and you, sir,

have said time and time again that those that do that are treason.

Mr. WILLIS. All right, Mr. Counsel, proceed in another area.

Mr. ARENS. Have you been in session in the course of the last several days with Harry Bridges?

(The witness conferred with his counsel.)

Mr. NEGRO. Will you repeat that question?

Mr. ARENS. Have you been in session in the course of the last several days with Harry Bridges?

(The witness conferred with his counsel.)

Mr. NEGRO. Ridiculous question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness is Sally Attarian Sweet.

Please come forward and remain standing while the chairman administers an oath.

Mr. Chairman, the reporter has indicated that he would like to have a brief recess.

Would the chairman be disposed to order a 5-minute recess?

Mr. WILLIS. We will take a 5-minute recess.

(Members of the subcommittee present at time of recess: Representatives Willis and Johansen.)

(At the expiration of the recess the following members of the subcommittee were present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will come to order.

Please raise your right hand.

You do solemnly swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SWEET. I do.

#### TESTIMONY OF SALLY ATTARIAN SWEET, ACCOMPANIED BY COUNSEL, EDWARD NEWMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. SWEET. My name is Mrs. Sally Sweet. I live in Hayward, and I am a legal secretary.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. SWEET. I am, at my place of work.

Mr. ARENS. And you are represented by counsel?

Mrs. SWEET. My counsel is present. I don't feel I am represented by him.

Mr. ARENS. Counsel, would you kindly identify yourself on this record?

Mr. NEWMAN. My name is Edward Newman. My office is in Hayward, Calif.

Mr. ARENS. How long have you lived in Alameda County?

(The witness conferred with her counsel.)

Mrs. SWEET. I would like to say that if it is true that the purpose of this committee and the sole purpose in being here today is to get facts upon which they can present legislation to Congress, then by their

own admission they have numerous facts on what they call unimpeachable, reliable sources, many agents in the FBI, many informers such as this thing that testified today. Therefore, they don't need any additional facts. I feel, therefore, for this reason, I am not here to give facts. I am here to be tried, without due process of law, without proper representation of counsel and I further refuse to answer these questions or any questions you may have to ask me on the basis of the first, the fourth, the fifth, the sixth, and the 10th and 14th amendments to the United States Constitution, the entire Constitution, as well as all the laws and statutes on our books which substantiate and support these amendments and laws and constitutional guarantees and the various court interpretations of those laws and statutes.

Mr. WILLIS. What was the question?

Mr. ARENS. The question was how long she lived in Alameda County.

Mr. WILLIS. You are ordered to answer the question.

(The witness conferred with her counsel.)

Mrs. SWEET. I stand on my previous answer, which was an answer.

Mr. WILLIS. Pardon?

Mrs. SWEET. I said I stand on my answer, which was an answer.

Mr. WILLIS. All right, if that is the advice of your counsel.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. SWEET. I refuse to answer on the grounds I previously gave.

Mr. ARENS. Since you were subpoenaed to appear before this committee, on April 27, 1960, have you been in session with other members of the Communist Party as to a concerted course of action to be taken by members of the Communist Party who were to be interrogated by this committee?

(The witness conferred with her counsel.)

Mrs. SWEET. When did you say I was subpoenaed?

Mr. ARENS. April 27, 1960.

(The witness conferred with her counsel.)

Mrs. SWEET. I decline to answer on the grounds I previously stated, and all the grounds I previously stated.

Mr. ARENS. Mr. Chairman. I respectfully suggest that will conclude the staff interrogation of this witness.

Mrs. SWEET. Thank you.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Saul Wachter.

Please come forward and remain standing while the chairman administers an oath.

Mr. EDISES. Mr. Saul Wachter is my client, Mr. Chairman. He is not here for the reason that while he was in the anteroom of the City Hall his son, Douglas Wachter, was viciously attacked and beaten up, also was deluged with water from a fire hose, and then was carted off to jail. This understandably upset his father and he is, therefore, in no emotional state to testify before this committee. I took it upon myself, observing his condition, to tell him that he ought to go home and not appear further this afternoon. He will be available tomorrow if you want him.

Mr. ARENS. Counsel, will you identify yourself on the record?

Mr. EDISES. My name is Bertram Edises.

Mr. ARENS. The next witness, Mr. Chairman, if you please, will be Mr. Tyler Brooke.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand. You do solemnly swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROOKE. I do.

### TESTIMONY OF TYLER BROOKE, ACCOMPANIED BY COUNSEL, EDWARD NEWMAN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BROOKE. My name is Tyler Brooke. I live in San Lorenzo. As to my occupation, I would like to say this: As a third-generation American-born citizen, I wish to state emphatically and unequivocally that the entire fabric of my life has been bound inextricably and dedicated to this country's democratic heritage, and that I shall continue in the future as I have done in the past, to urge the extension of its democratic privileges to all citizens, regardless of color or creed. I believe that I have been subpoenaed to appear before this committee not because it wishes to investigate any alleged act or acts upon my part, but, rather, because it wishes to inquire into my thoughts, my opinion, my beliefs, and my associations. I believe further that this committee section, through subpoenaing me as an individual, to stifle freedom of thought among other individuals, thereby imposing conformity of thought upon all. This I will not permit. Since its inception, this committee has vilified and slandered, harassed and intimidated, assassinated character, and caused loss of employment to many witnesses brought before it, while it protected itself with the cloak of congressional immunity and deprived subpoenas to due process of law to which all United States citizens are entitled.

Such repugnant practices reek of star-chamber methods and other inquisitorial methods of the long-dead past. Since its inception this committee has contributed more than its share to dislocating and damaging our national science, arts, and professions, labor-management relationships, even Government enterprise itself, by injecting fear and reprisal into the bloodstream of this country, fear which has given pause to many of America's foremost creative minds, who, facing decisions essential to the welfare of all, hesitate lest their solutions run contrary to the conformist dicta of this committee, and this I consider intolerable.

Since its inception this committee has squandered millions of taxpayers' dollars, money which well could have been used for constructive purposes, investigating into fields already proscribed for investigation by the Constitution. Hence, this committee's very reason for existence becomes suspect. In view of the foregoing, I consider this committee to be an anachronism, an abomination, and an affront to all American citizens, and I strongly urge its abolition forthwith. In this context I shall refuse to answer questions regarding my thought, beliefs, opinions, and associations put to me by this committee based upon the following reasons: One, I consider such

questions to be in violation to the first amendment of the Constitution guaranteeing the right of freedom of thought, speech, and association; two, I consider such questions to be in violation of the fourth amendment to the Constitution guaranteeing the right of personal security; three, I consider such questions to be in violation of the fifth amendment to the Constitution, and I will not permit this committee to place me in double jeopardy, to deprive me of due process of law, or to compel me to be a witness against myself; four, I consider such questions to be in violation of the sixth amendment to the Constitution guaranteeing the right of witnesses to be confronted by witnesses appearing against them, which this committee has previously denied; five, I consider such questions to be in violation of the eighth amendment to the Constitution, inasmuch as this committee by previous actions has inflicted cruel and unusual punishment upon other witnesses by creating an atmosphere in which certain of those witnesses have been prevented from obtaining gainful employment as a result of their appearance before this committee; six, I shall consider such questions to be in violation of the tenth amendment to the Constitution because this committee has usurped powers normally reserved to the people.

Lastly, I shall consider such questions to be in violation of the fourteenth, fifteenth, and nineteenth amendments to the Constitution because certain members of this committee are, and have been in the past, unrepresentative of the eligible voting population of their constituencies in those States which deny voting privileges to male and female persons because of their race and color.

Mr. ARENS. Does that conclude your answer?

Mr. BROOKE. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. NEWMAN. My name is Edward Newman. My office is in Hayward, Calif.

Mr. ARENS. Mr. Brooke, so the record will be clear, I don't intend to ask you any questions about any beliefs, political activity, thoughts, or anything else of that kind. I want to ask you about a few acts by yourself. In order to do so, I would like to have a little clarification of your name here, please, sir.

You are appearing today on this subpoena as Tyler Brooke. Have you also used the name of Taylor?

(The witness conferred with his counsel.)

Mr. BROOKE. I must refuse to answer this question, sir, on the grounds I have previously stated.

Mr. WILLIS. Of course, there is no reason for you to do it if you don't want to do it. But just for the record, I am not advising you because you have a counsel, but to reflect the situation from our point of view, and in that I think I know what I am talking about as I have followed the decisions, from our point of view your apparent refusal to answer any and all questions, including your occupation and your name and so on, will probably result in a contempt citation. You don't have to answer that. I will clarify on the record that we don't accept your refusal to answer on the basis of what you have given, on questions along these lines.

Proceed.

Mr. ARENS. Now, sir, I want to ask you about an act of yours, not a thought or a concept or an association.

Mr. JOHNSON. Since 1945. I came here because I like Sausalito.

Mr. ARENS. I did not get that. How long have you lived here?

Mr. JOHNSON. Since 1945.

Mr. ARENS. And prior to that time you lived in Michigan; is that correct?

(The witness conferred with his counsel.)

Mr. JOHNSON. That is correct.

Mr. ARENS. While you were in Michigan, did you know a man by the name of Karl Prussion?

(The witness conferred with his counsel.)

Mr. JOHNSON. I don't think you have any right to inquire into my associations.

Mr. ARENS. Mr. Prussion, you have been sworn.

Would you kindly stand, Mr. Prussion?

#### TESTIMONY OF KARL PRUSSION—Resumed

Mr. ARENS. During the course of your service in the Communist Party, in Detroit, Mich., did you know as a member of the Communist Party, to a certainty, a person by the name of Elmer E. Johnson?

Mr. PRUSSION. Yes.

Mr. ARENS. Do you see that person in the hearing room today, now?

Mr. PRUSSION. He is hard to recognize, he has changed so much. I could not certainly identify him.

Mr. ARENS. Thank you, sir.

We thank you, Mr. Prussion, for being so precise and so careful.

Mr. McTERNAN. Will the reporter read back the exchange between Mr. Arens and Mr. Prussion?

(Record read.)

#### TESTIMONY OF ELMER E. JOHNSON—Resumed

Mr. ARENS. Mr. Johnson, while you were in Detroit, Mich., were you district organizer of the Communist Party in Detroit?

(The witness conferred with his counsel.)

Mr. JOHNSON. I decline to answer this on the first and the fifth amendments.

Mr. ARENS. What county do you live in, please, sir?

(The witness conferred with his counsel.)

Mr. JOHNSON. Marin County.

Mr. ARENS. How long have you lived in Marin County?

(The witness conferred with his counsel.)

Mr. ARENS. Where is Marin County? Are we in Marin County now?

Mr. WHEELER. It is across the bay.

Mr. McTERNAN. Marin County is across the bay.

Mr. ARENS. Thank you.

How long have you lived in Marin County?

Mr. JOHNSON. What is the pertinency of the question?

Mr. ARENS. The pertinency of the question is for purposes of identification, because to our certainty, we know that an Elmer E. Johnson, living in Marin County, has been active under discipline of this conspiratorial force known as the Communist Party.

(The witness conferred with his counsel.)

Mr. JOHNSON. In view of that speech, I decline to answer, in view of the first and the fifth amendments to the Constitution of the United States.

Mr. ARENS. Are you, this minute, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. JOHNSON. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. Mr. Chairman, I respectfully suggest, if it meets with the approval of the chairman, that we have arrived at a point in the progress of our hearing where we would like to suggest an adjournment until tomorrow morning.

Mr. WILLIS. The committee will stand in recess until tomorrow morning at 9:30.

(Members of the subcommittee present at time of recess: Representatives Willis and Johansen.)

(Whereupon, at 6:25 p.m. Friday, May 13, the hearing recessed to reconvene at 9:30 a.m., Saturday, May 14, 1960.)

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